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ABSTRACT

The thesis of this document is that arbitrary social rules must be eliminated. Chapters cover: (1) what it is like to be a student whose personal activities are controlled; (2) the necessity of environmental freedom as a prerequisite to successful educational reform; (3) the question of environmental control; (4) the legal history of environmental control, and a presentation of the current status of the courts with regard to student freedom; (5) the tactics a student might employ in eliminating a certain social rule; (6) ways to make the college environment into a place where interpersonal contact is open and rewarding; (7) articles, statements, and case studies dealing with women's hours, intervisitation, and dress regulations. (Author/KE)

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ELIMINATION OF SOCIAL RULES

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TABLE OF CONTENTS

PREFACE 1

INTRODUCTION 5

Chapter 1
The Problem Created by Arbitrary Social Rules 8

Ignorance of Today's Students' Deeper Needs 8
Student Disdain for Environmental Control..... 9
From Disdain to Despair 10
Examples of Present Rules Structures 12
Historical Perspective of Environmental Control: Beginning to mid-1950's 13
Important Developments Since the Fifties .. 15
Developments of the Recent Past..... 16
The Problem..... 17
Finally, the Problem with Present "Solutions" 18

Chapter 2
The Necessity for Environmental Freedom As A Prerequisite to Educational Reform 19

Chapter 3
Modern Administrative Arguments for Social Rules: In Loco Parentis in Disguise? 22

"Where Have All the Heroes Gone?" by Bernard Adams, President, Ripon College..... 23

"Why Aren't You the Heroes?" by Teddy O'Toole 34

Chapter 4
In Loco Parentis '68 In the Courts, or Only the Ghost Remains 39

Footnotes 46

Chapter 5
Tactics for Eliminating Arbitrary Social Rules 47

Chapter 6
Towards Building A New Environment After the Elimination of Social Rules 52

The Model-Building Work of the CES Thus Far 53
Sex Education and Availability of Birth Control Devices 54

Chapter 7
Assorted Articles and Case Studies 57

Section 1 - Women's Hours 57
Case Study, Washington State University 57
Case Study, State University of New York at Oneonta 68
"Women's Closing Hours: Why They're Important?" from The Daily Tar Heel, the University of North Carolina at Chapel Hill 73
"AWS Looks at AWS," from the New Mexico Lobo, the University of New Mexico 76

Section 2 - Parietal Hours, or Intervisitation 79
"Harvard Parietal Hours: An Outspoken Appraisal" by Paul S. Cowan, the Harvard Crimson, Harvard University ... 79
Case Study, Bennington College 86

Section 3 - Dress Regulations 92
Case Study, Bellarmine College 92
Case Study, Hunter College 97

Bibliography 106

PREFACE

During my first three years as an undergraduate, 1963-66, I spent a good portion of my time sitting alone in my dorm, staring at the walls, and pondering freedom. I must say that a number of grandiose concepts of the subject passed through my mind and were stashed away. But it was when I carefully observed the actions and conversations of my dorm-mates, and momentarily digressed from the grandiose to the miniscule, that I first began to grasp a realistic view of freedom.

Were my dorm-mates free, and indeed, was I? Well, we had been told that we were in attendance at one of the "most free" institutions in the land of the free. But we weren't. We were frustrated robots, dealing constantly with ideas intimately but not with people intimately. We were, as Simon and Garfunkel have put it:

People talking without speaking,
People listening without hearing,
People writing songs that voices never share,
No one dared,
To break the sounds of silence.

Then as I sat there, the old adage that only the prisoner sitting in his cell comes to know the true meaning of freedom became strikingly clear to me, and the parallel was frightening. Whatever <u>else</u> it is is subject to further pondering, but on the college campus freedom is at least the right to come and go from your own room as you please, to do whatever you want to do in your room with whomever you want to do it, to dress as you please. Freedom is the right to be left alone to regulate your personal affairs.

Freedom begins with no curfews, no bans on intervisitation, no dress regulations, no bans on liquor or alcohol, no <u>in loco parentis</u> barriers to privacy, intimacy, and mistake-making. Gaining freedom, and learning the process

of gaining freedom, means eliminating arbitrary social rules.

Freedom on the college campus today means students asserting their adulthood, and refusing to postpone the acceptance of adult responsibilities.

But...during 1963-66, elimination of social rules was only to be pondered. Other things took precedence: civil rights battles, academic freedom disputes, speaker ban fights, the right to participate in off-campus activities without university censure, protests against university selective service ranking, establishment of judicial due process, and so on.

Between these activities we pondered and researched social rules. We read about the changing concept of maturity; we read about the prolongation of adolescence; we listened to delicately balanced administrative arguments about "protection" and responsibility; we read about the threat of the "cybernetic revolution"; we read Roland Liebert's eloquent USNSA publication Student Conduct and Social Freedom (and so should you).

By 1966 we had won some of the above battles and had laid the groundwork for the solution to many of the rest. In addition, we had formulated a theory of student power. And I, for one, was through with pondering, researching, and discussing arbitrary social rules.

For the results of my pondering and research had led me first to the conclusion that the only good social rule is an eliminated one, and that eliminating social rules rests not in further discussing them but in challenging the raw power of universities to impose them. The key which in 1968 locks coeds in at curfew hour is the key which in 1468 locked the chastity belt. The 1968 ban on intervisitation is the 1668 wall between the convent and the seminary, and the 1968 parietal hours between 1:00 p.m. and 6:00 p.m. on weekends is the 1568 joint vespers service. The 1968 dress regulation is the 1768 cassock requirement. And the arbi-

trary administrative power of 1468, 1668, and 1768 is the arbitrary administrative power of 1968.

So I had decided to spend at least a portion of my time challenging arbitrary social rules. Today's students, and those of the future, must be free to regulate their day-to-day lives (both within "university supervised housing" and outside), to learn the pleasures and discover the agonies of intimacy, both emotional and sexual, and to conduct their lives as adults.

Frankly, it has been a lonely road at times during the past two years. There are more important things, people say. But as I travel around, talk to student leaders, and keep abreast of happenings in the student world, I have progressively gotten more encouragement. For instance, I met student body president Tom Heagy only briefly at the 1966 National Student Congress. Later that fall I read that Heagy, a civil-libertarian not much liked by liberal-radicals, told the incoming freshman class at the University of Chicago that the only reason women's hours exist is because the women think they do, and that if the women suddenly stopped obeying them they would cease to exist. More importantly, he continued, "/hours/ should be opposed because they are an indignity to which no University of Chicago student should be subjected."

By the time of this writing a core group of people has grown up across the nation who accept the premise that arbitrary social rules should be eliminated. Presumably you are one of these people, and it is for you that I am writing and editing this pamphlet.

The pamphlet does not contain a series of delicately balanced arguments and statistical research. It is a broadside designed to give you encouragement and support. To some extent it helps you identify resources and tells you how other people have progressed. (See the bibliography, or write USNSA's SGIS if you haven't completed your research.) Mostly this pamphlet assumes that you are ready

to challenge the arbitrary powers upon which your campus's social rules are based.

Not many portions of this pamphlet are designed to go into your social rules "report." Rather, it is designed to be read in one night, perused the next day, and tucked under your arm as you go in to bargain for an end to campus environmental control. Or, later, it is to be perused and tucked under your arm as you go out to address a rally of people who are ready to willingly disobey a silly social rule.

Embracing the concepts of the pamphlet may lead you to environmental freedom. Or, it may get you kicked out of school, where at least you will have the same freedom as your peers who were not so fortunate as to be able to attend college.

Teddy O'Toole
Educational Affairs Vice-President, USNSA
July 24, 1968

INTRODUCTION

The thesis of this pamphlet is that arbitrary social rules must be eliminated. I have attempted to organize the thoughts behind that thesis in a logical flow, beginning with the need for campus environmental reform, progressing through the present arguments for and against reform, and closing with tactics that might be used, as well as case studies and reprinted articles.

Thus Chapter I attempts to show in rather vivid language what it is like to be a student whose personal activities are controlled. It points up the significance of the increased sophistication of today's student, and in the process shows how today's students are the victims of history, how the college "protection" of yesteryear has turned into the arbitrary control of the present.

Chapter 2 addresses itself to the necessity of environmental freedom as a prerequisite to successful educational reform. It speaks (with some hostility) to those educational reformers who put so much time and energy into producing new curricula, new courses, and new grading procedures, and so little energy into helping to free people to live their own lives.

Chapter 3 is designed to be a microcosm of the debate now in progress on college campuses with regard to the question of environmental control. Specifically, it is a debate between a college president, who offers modern theories in justification of social rules, and myself. I, of course, attempt to demolish his theories.

Chapter 4 is a brief review of the legal history of environmental control, and a presentation on the current status of the courts with regard to student freedom. I wish to thank Mary Louise Frampton of the USNSA Legal Rights Desk for writing Chapter 4, and I wish to thank Dave Ifshin for aiding Mary Louise.

In Chapter 5 I try to delineate the tactics a student might employ in eliminating a certain social rule. This section may be particularly helpful to you if you are pretty fed up but don't know where to start. Although tactics must be adjusted to a particular situation, I have found a surprising consistency in the manner in which nearly all college administrations deal with challenges to social rules, and I attempt to deal pretty specifically with the problems that will be met by the reformer and how he can overcome those problems with the least amount of lost energy.

Eliminating social rules might not be enough. Something more might be needed to help students make the campus into an environment where interpersonal contact is open and rewarding. Although little work has been done toward building new models, I try to offer some suggestions in Chapter 6.

Chapter 7 is a collection of articles, statements, and case studies, specifically selected either because they were successful, or because they say better what I wish I had said in the chapters that preceded them. Chapter 7 is divided into three sections. Section 1 contains articles and case studies about elimination of women's hours, while Section 2 addresses itself to intervisitation. Section 3 focuses on dress regulations, as being fairly representative of all the "minor" means of environmental control.

I am indebted to a number of people for helping me organize the thoughts presented in this pamphlet, and certainly to everyone on the USNSA staff. In particular, however, I want to thank Dr. Barnard Adams of Ripon College, Dr. Peter Armacost of Ottawa University, Dean Earle Clifford of Rutgers, and the National Association of Student Personnel Administrators for their permission to reprint Dr. Adam's paper, "Where Have All The Heroes Gone?" in Chapter 3. That paper, as well as my response, is the property of NASPA's 1968 Minneapolis conference. Dr. Armacost and Dean Clifford are going to edit a book in the near future for NASPA which will contain all the papers delivered at the

NASPA conference, and the eager reformer would be well advised to get a copy of the book when it is completed.

My thanks also go to the Harvard Crimson for their permission to reprint the article "Harvard Parietal Rules: An Outspoken Appraisal" which appeared in the Crimson on October 29, 1963.

I suppose everyone who attempts to present his thoughts in published form experiences that moment just before he sends the manuscript to the printer, when suddenly all the inadequacies of his work suddenly become clear to him. Such has been the case with me. My only hope is that the unclear portions of this pamphlet stand out as reflecting my writing inadequacies, and that they do not detract from the principle of freedom I am trying to convey.

CHAPTER 1

THE PROBLEM CREATED BY ARBITRARY SOCIAL RULES

Ignorance of Today's Students' Deeper Needs

Few would dispute the increased sophistication of today's college student. Lately Marshall McLuhan and other scholars have documented and explained this phenomenon which others have noted and commented on for the past ten years. An observer not familiar with the college scene can be flabbergasted by the grasp so many college students show of the problems of the nation and the academic community. Of particular interest to most is the willingness of many students to actively participate in movements or programs aimed at correction of ills. Campaign strategists for Senator McCarthy will attest to this fact.

Although the society at large seems to view increased student sophistication as a healthy, though perhaps slightly threatening, phenomenon, it views with some horror those students who mysteriously move from commitment to alienation and seemingly set about the task of destroying all order in the university. Setting aside the question of the utility or justification of such activity, and focusing on the personal dynamics of that move from commitment to alienation, one first senses that something is more deeply wrong in academia than the labels or the protest signs or the explicit issues reveal.

If one follows that hunch from the radical demonstrations down through the McCarthy campaign, the student power movement, the student governments, and down into the dormitory corridors where the masses of students carry on their day-to-day lives, he sees what that something is. He sees that an important and deep seated student concern has

been either sublimated to more "noble" concerns, obscured by the more obvious concern of academic pressure, or, where it has become manifest, ignored by the public and by college authorities. Essentially, there is little beauty in campus existence.

Why the harshness of day-to-day campus living? It is because the campus life environment stifles growth through squelching opportunities for interpersonal contact, for privacy and intimacy, and for the subsequent development of mature sexuality. Sophisticated people, who find themselves in an environment controlled by others so as to deny their dignity and ignore their desire to be left alone in their personal lives, are unhappy.

Student Disdain For
Environmental Control

USNSA, daily working with students in their environment, has been in a unique position to document this fact. As much student-leader energy during the academic year 1967-68 has been put into protesting and bargaining against arbitrary social restrictions as has been put into most other issues combined. Although ignored by the press, dissatisfaction with curfews alone provoked demonstrations of mass disobedience at Albertus Magnus College, the University of North Carolina at Greensboro, the State University of New York at Oneonta, and several others this past year. The Oneonta incident ended with women students going into federal court seeking a ruling against curfews on grounds of sexual discrimination, with USNSA as co-plaintiff. Even at Berkeley and Northwestern, amid demands on such a scale as withdrawal of university investments from South Africa and cessation of university "complicity" in the Vietnam war, there appeared additional demands for an end to curfews.

The administration at Boston University this past year found students most united on their demand for intervisitation hours in dormitories. The nation was shocked by the celebrated cohabitation case at Barnard College.

From Disdain To Despair

The prima facie evidence is abundant with regard to student disdain for arbitrary inhibitions to privacy and intimacy. Does this disdain generate an even more stressful assumption on the part of the student that the environment created, aside from merely limiting his mobility, is a direct affront to his dignity, and virtually prevents his learning to live with other people and develop mature sexuality?

Yes. USNSA's Campus Environmental Studies Project (hereinafter cited as "the CES"), under a grant from the National Institute of Mental Health, has sponsored several conferences over the last two years to determine the causes of stress in the college experience. The formats of the conferences, using sensitivity training techniques, were designed to get below the surface. Nearly every report from the various conferences contained sections similar to Dr. Peter Breggin's observations from the Carolina-Virginia conference:

> I did not hear a single, solitary student complain that the college left too much up to him. No one complained that the parietal hours were too lenient for him, no student found that he had too many informal opportunities to be with his teachers, no student complained that he had too few courses and felt constrained to invent his own, no student complained that he was running into blocks and problems solving some challenge of his own making. And few were the times that anyone was heard to say, "I've got this problem, and I'm working on it on my own, finding out new things, ideas I want to share with you." When problems came up, they were problems in the pathological sense, demoralizing problems.
>
> These students were too overburdened learning the academic solutions and the social rules thought out by other generations. So much so, it was hard to get into a good argument with them, and even hard-

er to learn from them, even to learn what they were thinking and feeling.

The situation became pathetic when the group recorders made their reports. These reports were sterile, sometimes facetious, sometimes silly. They did not know how to report on their own living experience of the conference. And even more frightening, they were appalled at the idea of writing down any of their ideas. When I urged some to send me their thoughts, so that I might include them in this report, the reaction was, "What! another paper!" That's what their education had done to them. It had made them appalled at the idea of expressing themselves in writing.

Their experience with living with each other was equally disturbing. They hardly knew what to do with each other. Here at the conference they were in the woods around a lake on a warm and happy summer day and yet all of them came to the groups. That bothered me more than their silence when they got to the groups.

They were people who were not comfortable, with their own kind, with people. They were accustomed to a social competition and sexual frustration that made gentle loving an impossibility. Longlasting friendships were few, "divorces" among roommates were frequent. Crammed in like so much exam data, built on competition like so many grades, friendship and especially love became as satisfying as the last hours before finals. Sex became an end in itself, love became a thing cultivated toward that end of sex.

The girls varied in their attitudes from the feeling that they had to fight off every date to the feeling that they must keep men so distant that no sex could take place. There was little place in college for

comfortable experiences in the gradual learning of friendship and love. The stereotyped weekend seemed the rule--a blind date between anxious couples, superficial conversation, some groveling over sex, and a drunken male perhaps escorting his date back to the train or bus. The irony--a university that prided itself in its "honor system" and its "respectability" was known throughout the region as a place where the male was drunk before the date began, and where the girl often had to find her own way back to the bus terminal. I had images of cowboys coming into town after a long drive, or sailors on shore leave. The boys and girls used each other to escape and to relieve the stresses of campus life and it didn't work out too well.

In the report from the New York conference, observer Dr. Gordon F. Lewis of the University of Vermont, addressing himself specifically to the question of sex, simply said "There were those who said that meaningful sexual relationships seemed unattainable, probably because of the general alienation and inability to communicate which characterized their experience in the college setting."

Examples of Present Rules Structures

In light of these facts one begins to wonder what possible type of environment could lead intelligent people to such frustration. The answer becomes clear when we examine the typical rule facing the typical woman and her date at a typical state university:

> For every minute that a student is late she will come in five minutes early on Saturday following her infraction. . . If a student should accumulate over 30 minutes throughout the semester, she will automatically receive a weekend campus consisting of Friday, Saturday, and Sunday nights on the weekend following the infraction which gave her 31 minutes

or over. A student observing a room campus must be in her place of residence by 7:30 p.m. on the day of her campus. At no time after 7:30 p.m. may she receive callers, visit in her room or in other rooms, receive local telephone calls, or go to the lounge.

If out of her room she must leave a note saying where she may be found in her residence. Her roommate may not entertain callers in their room on the night of the campus. A campus lasts until the following morning.

> (Sex and the College Student, by the Committee on the College Student, Group for the Advancement of Psychiatry. Atheneum, New York, 1966, page 105; hereinafter cited as the "Committee's Report.")

Although the general administrative philosophy is that men are best restricted by restricting the women, rules of the type outlined above often extend to the men also. All-male Notre Dame during 1967-68 fought, and won, a battle against dress regulations requiring coat-and-tie dress.

It should be noted that the above cited curfew rule, applying as it does only to the typical state university, is fairly lenient. Quite often smaller private colleges ban not only intimacy of any sort and certain types of dress, but smoking as well. "Coeducating while sunbathing is not permitted," is typical. At Taylor University in Indiana a student informed USNSA that copies of Playboy coming in by United States Mail are seized by the administration, subscribers are called to the Dean's Office, and cancellation of the subscription or expulsion from the school are presented to the subscriber as the only alternatives.

Historical Perspective of Environmental Control: Beginning to mid-1950's

In light of these facts one begins to wonder what diabol-

ical minds stayed up nights to construct such an environment. No such simplistic conjecture, however, will suffice. The college students today, like members of minority groups today, are largely the victims of the circumstances of history, subject to decisions made decades ago by people who probably acted with the best of intentions. An examination of the history of campus environmental control is in order.

The first significant fact is that the problems presented by environmental control manifest themselves most vividly on "residential campuses," where the vast majority of students live in university owned dormitories, although many of the same problems crop up in different forms on "commuter" campuses. However, as the Committee's Report repeatedly points out, America's higher educational system is unique in the world in that the vast majority of campuses are residential.

The origins of the American University are literally in the Puritan-Protestant ethic. The first colleges were non-coeducational religious institutions that resemble today's seminaries more closely than anything else. Many of them were in fact seminaries or convents; the others were isolated segments of the society where scholars went to learn in a religious atmosphere. The term "sexual intimacy" in these institutions was probably not even accepted as proper for polite conversation.

As the system began to expand from religiously oriented private institutions to include developing state universities, it still retained the non-coeducational rubric. Men went to the private schools or the state universities; women went to the private "finishing" schools or the state teachers colleges. Although civil libertarians quite early demanded that the state institutions not be religiously oriented in curriculum, they were unable to prevent the state institutions from taking the environmental model developed from the religious schools: residential, non-coeducational, tightly controlled environment.

As the system grew, two very important doctrines were developed with regard to behavioral control of students, doctrines which form the core of administrative stands today. The first was the legal doctrine of in loco parentis, by which the courts ruled with unwavering consistency that students when they entered an institution surrendered their rights as citizens to the administration, which, acting in the role of parents, had absolute authority to control the student's lives.

The second doctrine was educational. It formalized the societal ban on premarital sexual intimacy. Students voluntarily, it maintained, postponed interpersonal contact and intimacy during the college years in order to concentrate on the serious business of becoming educated. (This doctrine is occasionally invoked today. A 1968 poll of seniors at the University of Wisconsin revealed that roughly 45% of both men and women seniors were virgins. One wonders if closer examination of these people, averaging slightly over 21 years of age, would reveal that they had voluntarily postponed sexual activity in order to reserve time for studying.)

So, armed with the protestant ethic and the weight of the courts, college administrators and the general public were ready for the tremendous growth of institutions of the twentieth century. As the land grant concept and the public demand for higher education dotted the countryside with residential, often coeducational schools, environmental control was firmly maintained.

Important Developments Since the Fifties

This brings the historical examination to a point some time in the 1950's. However, other very important developments must be interjected at this point before the problem of 1968 can be fully understood. The increased sophistication of college students must be examined and put into context, for if one accepts the premise that today's students are more sophisticated, then students must have been less sophisticated at some point in the past.

Although it is extremely difficult to document the point in time after which many students in college began to feel they should have an expanded role in shaping their environment and even the society, the mid-1950's seems like the logical point. Some evidence to that effect is offered by both the academic freedom demands that marked those years and the civil rights activities of the early 1960's. Perhaps most substantively this period coincides with the mass distribution of television which McLuhan noted as the beginning of the movement toward increased sophistication and desire for independence on the part of young people.

At any rate, some point during the past thirty years marked the beginning of an evolution of qualitatively different college students. This fact is important because the quality of the educational system did not change with the times. The importance of this recent historical development then is that one could speculate that the "problems" outlined above were not problems prior to this era. Perhaps student generations of yesteryear were comfortable with environmental control and saw it as important to their development. Perhaps they did in fact voluntarily postpone interpersonal contact and development in favor of digging at books. And perhaps, unfortunately, many of today's college authorities were trained in that era and still believe that what worked then will work now.

But whatever the case, the times have changed. If administrators of the past conjectured that depression periods on campus were most often the result of the baseball game that was lost by the home team, the fact is that now the pall on campus springs from the dry, inhibited campus emotional environment. The tenor of the campus has gone from "Casey at the Bat" to "The Wasteland" and college authorities have largely ignored it.

Developments of the Recent Past

Two more developments of the past eight years must be noted before the present student dilemma can be put into its

complete context. In 1960, in the case of Dixon vs. Alabama, federal courts killed and buried the legal concept of in loco parentis. In addition the liberal discussion of sexual issues that has pervaded the press in recent years has caused individuals in positions of power to become sensitive to charges of attempting to impose their morality onto people over whom they exercise power.

Thus, one can search the country in 1968 and find very few college administrators who will admit to either embracing the doctrine of in loco parentis or attempting to regulate the moral standards of the students. In fact, most will protest vigorously while in the limelight that they do not do either of these things.

But, methinks the administrator doth protest too much. In fact USNSA's observations indicate that, despite these latter two developments, very little has been changed by college administrations with regard to environmental control. What has changed, however, is that no longer will administrations make explicit their stand with regard to personal freedom and intimacy. Although they find it unpopular and legally dangerous to state explicitly their parental attitude and moral stances, they still can and still do maintain the barriers which control the opportunity for interpersonal contact, privacy, and intimacy.

The Problem

Now the dilemma of the student can be seen in its complete context. The entering student, with sophisticated expectations of pursuing sexuality development in the college setting, finds himself rendered almost immobile in pursuing that goal by the university imposed rules, which the university will not explicitly justify and which the student certainly cannot justify by his own standards or those of his peers. Thus added to the student's disdain for the rules themselves is his correct assumption that the university is deceiving him and challenging his integrity by expecting him to obey rules not of his own making and lacking stated

justification. "Do as I say because I say to do it" is a stress-provoking statement to sophisticated people in any age.

Consider the dilemma of the student who finds himself facing expulsion just because he broke the rule against dormitory intervisitation. Consider the feelings of the woman who faces expulsion just because she broke the curfew rule (perhaps even on the night of her engagement). Consider the couple who cannot develop a meaningful relationship because they cannot find either privacy on campus or adequate time, due to their adherence to the rules against apartment dwelling, intervisitation, and late night dating. Not to mention sign-out regulations, automobile bans, etc.

Finally, the Problem with Present "Solutions"

The basic problem created by arbitrary social rules, then, is clear. The final problem, however, is created by the "solutions" which "liberal" administrators are proposing. These solutions generally are in the form of extensions. Women's hours are extended a few minutes or extended to people with certain grade achievements or class standings. Intervisitation hours are created at "safe" times or, where they already exist, extended a few minutes. Dress freedom is extended to certain previously taboo segments of the campus.

Is it not clear that these "liberalizations" are in fact only crumbs from the table, pats on the head from Daddy, and that they only further aggravate the problem? For whenever an extension of freedom is granted, the principle of freedom itself is withheld. The English Parliament's reduction of the tea tax did not free the American colonies from the principle of control, and the administration's extension of the curfew does not free the students from the principle of control.

Gaining freedom on campus begins with the elimination of arbitrary social rules.

CHAPTER 2

THE NECESSITY FOR ENVIRONMENTAL FREEDOM AS A PREREQUISITE TO EDUCATIONAL REFORM

"As therefore the state of man now is, what wisdom can there be to choose, what continence to forebear without the knowledge of evil? He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, he is the true warfaring Christian. I cannot praise a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary, but slinks out of the race where that immortal garland is to be run for, not without dust and heat. Assuredly we bring not innocence into the world, we bring impurity much rather: that which purifies us is trial, and trial is by what is contrary. That virtue therefore which is but a youngling in the contemplation of evil, and knows not the utmost that vice promises to her followers, and rejects it, is but a blank virtue, not a pure; her whiteness is but an excremental whiteness; which was the reason why our sage and serious poet Spenser, whom I dare be known to think a better teacher than Scotus or Aquinas, describing true temperance under the person Guyon, brings him in with his palmer through the cave of Mammon and the bower of earthly bliss, that he might see and know, and yet abstain."

(John Milton, Areopagitica)

This section of Milton's Areopagitica is probably the most eloquent statement of the philosophies of civil liberties and liberal educational policy ever written. Published in

1652 as a plea to the English Parliament not to establish book censorship, it has been cited time and again during these last three centuries as students and scholars have fought for freedom of thought and action.

Essential to the process of learning and growing, it maintains, is direct encounter with supposedly alien and dangerous ideas, and direct experience with supposedly immoral or debasing actions. Without freedom and flexibility in institutions, ideas and actions become stagnant and stereotyped; people exist in a void, and learning and growth are impossible.

To some large extent this has been the underlying philosophy of the educational reform movement of the 1964-68 period. The basic concepts of the movement have emphasized the need for more self-direction and less coercion. It has been, and is, a most commendable movement. In the wake of experimental colleges and free universities have emerged course and teacher evaluation programs, pass-fail grading systems, more independent studies, more seminars and fewer lectures, new curricula and new courses, and more emphasis on the process of learning as opposed to the processing of students.

Trustees, presidents, and administrators have been relatively sympathetic and some have even joined the educational reform movement.

But...there are those of us who have recognized the futility of educational freedom without environmental freedom. In fact, the former is probably doomed from the start without the latter. The reason for this is the obvious fact that in order for the student to truly learn the process of self-direction in pursuing ideas, the context of his activities must be one of freedom as opposed to restriction. And, no matter how much we free the student to examine new and different ideas, the context in which he operates is set by the basic environment in which he lives. If he (or she) has a curfew, cannot entertain in his room, cannot wear the

clothes of his choice, and in general cannot regulate his own affairs, then the context of his activities, both academic and personal, is a restrictive one.

As activist Tom Hayden put it in a speech entitled In Loco Parentis and College Education: "In the oft-asked classroom questions, 'Will the philosophy exam be multiple choice or subjective?' 'Will the grading be on a curve or not?' Do we not see in thin disguise the childlike attempt to find out what pleases mommy? If enforced compliance with arbitrary rules is characteristic of life outside the classroom, should we expect a different student attitude inside the classroom?"

That brings us to a second and more compelling reason why elimination of arbitrary social rules must be an essential part of educational reform. For isn't it about time that colleges began turning out people who can regulate their own personal affairs? And isn't it about time that learning interpersonal sensitivity and intimacy became a basic goal of education, and don't arbitrary social rules directly prevent that by keeping sexes apart and encouraging forced, stereotyped behavior?

So on the one hand the restrictive context of environmental control nullifies the efforts for increased freedom in academic affairs, and on the other hand increased freedom in the pursuit of ideas is incomplete without freedom to pursue personal and interpersonal development.

Educational reform will not succeed without elimination of arbitrary social rules.

And perhaps that is the reason why trustees, regents, and administrators will support the educational reform movement and resist the environmental freedom movement. Thought control is context control, and context control is environmental control. And neither society nor administrators need fear people who, although free to examine all ideas, submit to being locked up, separated, temperanced, and dressed.

CHAPTER 3

MODERN ADMINISTRATIVE ARGUMENTS FOR SOCIAL RULES: IN LOCO PARENTIS IN DISGUISE?

As I mentioned in Chapter 1, it is a rare occasion indeed when one finds an administrator today who openly defends in loco parentis or who openly justifies social rules with the argument that they are extensions of religious morality doctrine. Generally, they offer either "technical" arguments or that frustrating silence.

In April, 1968, however, the National Association of Student Personnel Administrators organized part of its national conference around the question of "Institutional Standards for Student Conduct." Dr. Barnard S. Adams, President of Ripon College in Wisconsin, delivered a defense of social rules and I was invited to respond.

While Dr. Adams condemned the doctrine of in loco parentis, he offered four reasons why colleges had the right to impose social rules. Because institutions had an obligation to adhere to their "broad educational purposes," their "distinctive institutional characters," their state and federal laws, and their donors' wishes, he said, they had the right to impose social rules. I responded that these sounded strikingly like in loco parentis in disguise.

Dr. Adams' paper, entitled "Where Have All the Heroes Gone?" is reprinted here with his permission and the permission of NASPA. Immediately following Dr. Adams' paper is my response, entitled "Why Aren't You the Heroes?"

WHERE HAVE ALL THE HEROES GONE?

by

Bernard S. Adams, President Ripon College

This paper addresses itself to that perennial bete noire of student-dean relationships, "Institutional Standards for Student Conduct." My quite recent move from a deanship to a presidency has provided me with no new wisdom on this subject. Neither, unfortunately, has it resulted in fewer confrontations with students, who have simply moved the debate on the nature and purpose of such standards from Oberlin to Ripon and from the Dean's office to the President's.

I wish to approach my well-worn subject from what I hope is a somewhat different perspective. My hypothesis is that standards of conduct, and especially their acceptance by this student generation, are grounded in example rather than in fiat. A positive example, consistency in high-minded performance, speaks much more persuasively than a rule couched in negatives and honored more in the breach than in the observance. But where are the examples today? In public life and in private, if I may paraphrase a popular folk song, "Where have all the heroes gone?"

November 22, 1963, brought death to two of these heroes, one a young statesman, cut down by a sniper's bullet, and one an old philosopher, dead following a terminal illness. Both of these men were visionaries and both spoke especially persuasively to the younger generation. John Kennedy urged his followers to venture into the outer world, to explore a "new frontier," to help create a better social order. Aldous Huxley urged his followers to create an inner world of the spirit, in the conviction that this was the route toward ultimate human fulfillment. Huxley wrote:,

> The choice is always ours. Then let me choose
> The longest art, the hard Promethean way,

Cherishingly to tend and feed and fan
That inward fire, whose small precarious flame,
Kindled or quenched, creates
The noble or the ignoble men we are; . . .

College students of the sixties have generated an impressive commitment to both the realms of experience symbolized by these two men. They are the champions of the underprivileged and the undereducated; they are actively involved in attempting to right the wrongs of our contemporary social order. And their activist temperament is inner-directed as well. They embrace the ideal of Huxley but they also accept the warning voiced by Lawrence Gould, former president of Carleton: "Our civilization will die when we no longer care, when the spiritual forces that make us wish to be right and noble die in the hearts of men."

If we in the colleges are to win a positive response from a student generation marked by this dual commitment to outer and inner worlds, sensitive to example but not to authority, we must answer more cogently their queries about the nature and relevance of higher education. We must find better answers to the question, "Education for what?" We need to demonstrate, in our educational program, that human potentialities encompass the emotional as well as the intellectual faculties, the senses as well as the imagination, man in society but also man by himself. And we must show how the educational program and the educational environment are designed to provide opportunities for <u>total</u> human growth.

The concern we profess for total education requires us to create a suitable climate for learning and deny the relevance, if not the validity, of the kind of academic experience that occurs in a social or communal vacuum. The main justification for the residential college or university lies in its environmental support of the kind of learning that is a process or an experience rather than an end in and of itself. The main function of administrative specialists in areas of non-academic student life is to enhance this climate for learning and to create informal educational opportunities

complement the more formal academic program. Education is for professional competence but it is also for personal fulfillment and surely both occur more readily when the total environment contributes effectively to student growth.

Who is to define the nature of this environment and how do standards of conduct relate to a total educational program? I would say, first, that anything that affects the institutional climate for learning is the proper concern, directly or indirectly, of all who are a part of the institution. I am as concerned as anyone for student freedom to learn and for student rights in helping to determine the nature of the learning environment. But these are not the rights of the student alone. The more permanent members of the academic community, the faculty and the administration, and those legally responsible for institutional governance, the regents or trustees, have similar rights and, more importantly, ultimate responsibility. I refuse, however, to become defensive about student rights infringing upon the rights of others, and I deplore the fearful advocacy of a legalistic and paternalistic status quo as much as I do the more extreme assertions of the student power movement. Surely it is better to work together as members of a single community than to retreat into separate camps and attempt either to retain or to gain power at the expense of members of an "opposition party."

The Joint Statement on Rights and Freedoms of Students, that is before NASPA for adoption of the 1968 meeting, almost came a cropper at the annual meeting of the Association of American Colleges because of the defensiveness of a small but vocal group of presidents. These men opposed the Joint Statement because, in their words, it raised "important and complex questions of institutional governance impinging upon (underlining mine) the legal and traditional rights and responsibilities of faculties, administrative officers and trustees." These presidents spoke of the Joint Statement fostering "a sense of irresponsibility for an important facet of institutional life" and emphasized the wish to "preserve and strengthen appropriate administrative" as

well as student freedoms. It is this kind of defensiveness that perpetuates division and separation than cooperation and unity within the academic community.

The Joint Statement does not suggest that students should take over functions traditionally assigned to faculty, administration, or trustees. It simply asserts that "the student body should have clearly defined means to participate (underlining mine) in the formulation and application of institutional policy" and that standards of conduct should be formulated "with significant student participation." The Joint Statement is, in fact, remarkably free from the assertiveness of the more extreme student power advocates and demonstrates confidence in student capacity for responsible contributions to the institutional welfare.

If the responsibility for determining institutional policy and for establishing standards of conduct is properly to be shared, there remain the questions of what policies and what degree of student participation. The student power advocates notwithstanding, I believe that there should be no areas of college policy under the sole jurisdiction of students just as there should be no areas of policy from which students automatically should be excluded. Formulation of standards and regulations governing student behavior is surely one area where student involvement should be considerable. Here, moreover, it would seem appropriate that all policy proposals originate with the student government but be subject to modification either by the faculty or the Board of Trustees. The contention that students need observe only those rules that they have formulated themselves to me seems absurd. How would these students react to the idea that the business community, for example, need not observe laws that it had not made? In any structured social order, and a campus is no exception, there must be limitations on personal freedom in order that the larger concerns of the community may be protected.

In the case of a college or university, restrictions on individual freedom should relate to broad educational purposes and to a clearly defined institutional character. The

courts themselves have taken pains to recognize the distinctive nature of the academic community and have asserted the need for special institutional standards arising from the fact that a student is a special kind of citizen. In the case of Goldberg vs. the Regents of the University of California, brought by students involved in the "filthy speech" movement, the following opinion was stated:

> Historically, the academic community has been unique in having its own standards, rewards, and punishments. Its members have been allowed to go about their business of teaching and learning largely free of out-side interference. To compel such a community to recognize and enforce precisely the same standards and penalties that prevail in the broader social community would serve neither the special needs and interests of educational institutions nor the ultimate advantages that society derives therefrom. Thus, in an academic community, greater freedoms and greater restrictions may prevail than in society at large, and the subtle fixing of these limits should, in large measure, be left to the educational institution itself.

Here, surely, is recognition that a college must be free to prescribe certain limits of conduct in order that its distinctive educational purposes may be realized--especially when, as in the case with residential colleges, it views its educational mission in broad terms.

How do standards of conduct relate to "a clearly defined institutional character?" Ours is a pluralistic educational system, and in its pluralism lies one of its major strengths. For some colleges, behavioral restrictions of various kinds represent fundamental principles which make clear the values for which colleges stand. They are indelible parts of the institutional character and to modify the standards markedly would make these colleges just a bit more like many others. A social code, then, may give particular shape to an institution's climate and personality in the same

way that a curriculum gives order and structure to the acquisition of knowledge. Although the needs and concerns of a particular student generation should be given full consideration, their wishes alone should not dictate important modifications of institutional character or tradition.

I would make one very basic exception to a college's ultimate right to set its own standards based upon an assessment of its educational purposes and its institutional character. It is here that the Joint Statement of Student Rights and Freedoms is especially helpful. Fundamental to the educational effectiveness of any academic community is the insistence that students enjoy the same purely academic freedoms, the same freedoms of inquiry and expression, as do teachers. In the classroom, in campus publications, in extra-mural associations, in supporting causes, in exploring issues--students must be assured full freedom of expression and action, so long as the exercise of these freedoms does not restrict the rights of others and does not threaten the destruction of the academic community and its special purposes. There is no "higher morality" (a term used with distressing frequency to justify various forms of civil disobedience) than that implied in the principle of academic freedom, and the explicit extension of these freedoms to students surely is long overdue.

Student academic freedom, however, does not extend to a kind of statutory permissiveness with respect to non-academic conduct. It is obviously desirable for students to establish and enforce appropriate behavioral limitations of their own, and they must be given the opportunity to do so. But toleration of deviant behavior is so prevalent in the current student generation as to make it quite likely that complete student autonomy with respect to behavioral standards would lead to there being no standards at all. Students ask, "Why should I care if he smokes pot or she sleeps around? It doesn't affect me, and besides, don't we all have the right to make our own mistakes?" The point is, of course, that unwise or illegal actions do affect others. Furthermore, students will always have the right to make mistakes but

colleges should have the right to lend to these mistakes the seeming sanction of institutional authority. Inviting students to determine just how free from institutional limitations they would like to be is a little like inviting all of us to determine the extent of our salary improvement for next year. Everyone wants a raise!

I have suggested that standards of conduct should relate to broad educational purposes. If such relationships can be established, it is quite appropriate for the institution to set higher standards than those prevailing outside the academic community. For some students, complete personal freedom results in a loss of capacity to handle academic demands. It seems to me, therefore, perfectly in order for a college to suggest that students who drink to excess, who experiment with drugs, who become involved in casual sexual relationships, cannot take full advantage of the educational program. Standards of conduct, therefore, may effectively support academic performance. They also symbolize the institutional commitment to orderly processes, rational analysis, and moral-ethical as well as intellectual dimensions within the educational program.

I do not suggest, here, that a college attempt to legislate morality in the name of the moral dimensions of its educational program. But, in its students own interests, a college should take institutional positions that serve to define a community climate that is appropriate for an institution concerned with moral and ethical as well as intellectual growth. Institutional adherence to a policy of moral permissiveness or ethical nihilism would seem to make us, collectively, a bit like Dante's neutral angels -- refusing to take stands, declining to set standards, simply embracing neutralism and accepting whatever "is" as also "right."

Let me also try to suggest that, in establishing certain behavioral standards, a college does not restrict a student's right to make his own decisions in the moral sphere and to achieve growth as a result of taking full responsibility for those decisions. In maintaining, as some of us are still

old-fashioned enough to do, that a man and a woman behind a closed door in a dormitory room constitutes a violation of institutional standards, we do not prevent that same couple from reaching a moral decision about pre-marital sexual relations. We do make explicit an institutional position that such relations are usually unwise, are often exploitative and therefore immoral, and are not to be condoned. It seems to me that an educational institution cannot be true to itself if it even seems to lend official support, apparent corporate sanction, to actions that are illegal, immoral, or simply unwise. The absence of standards implies neutralism or a lack of concern, and neither speaks well for the educational climate we seek to maintain.

I cannot deny a very practical dimension in my concern for maintaining certain institutional standards of conduct. Whether or not many of today's students will admit it, some of them and many of their parents want a residential college to concern itself with something more than the care and feeding of the mind. Colleges grounded in religious traditions are among those whose corporate well-being would be seriously jeopardized if important portions of their constituencies became alienated as a result of what some would see as an abdication of responsibility. Such a concern should not, of course, lead to paternalism, for students need maximum individual freedom for maximum growth. But conditions for developing self discipline cannot be met by freedom alone but must include a recognized norm against which value systems can be tested. This testing occurs, as often as not, when student violation of institutional standards result in confrontations between student and student or student and dean that give an educational dimension to a college's non-academic function.

Let me be quite clear in my insistence that a college's responsibilities should not and can not extend to those of a surrogate parent. No institution can establish or enforce anything like "typical" parental standards, for these range from one end of the authoritative-permissive continuum to the other. Detailed rules governing every aspect of student

behavior are foolish, unrealistic, and unenforceable; and inequities of enforcement lead to disrespect for rules in general. Furthermore, as suggested above, detailed and excessive rules subvert the conditions that make it possible for individuals to develop their own codes of responsible conduct and tend thereby to undermine the educational purposes of the college.

Assuming, then, that restrictions on student conduct will be minimal, realistic, and enforceable, who is to be responsible for enforcement and how is he to operate? A campus cannot be a police state, no matter who actually does the policing. I am opposed to a college calling in the local police to handle deviant behavior, first, because this represents a potential threat to academic freedom and, second, because it represents an abdication of our role as an educational institution. The tradition of freedom from external intervention has been useful in preserving academic freedom and I, for one, would not want to encourage action by legislative and civil authorities simply because we cannot keep our own house in order. And calling in off-campus authorities makes it difficult, if not impossible, to effect the educational growth that should result from intelligent handling of infractions.

I am also convinced that colleges admit to a serious deficiency in their total educational program when the ultimate sanction of suspension or expulsion is employed to any very considerable extent. Faculty members, trustees, and the general public sometimes insist that we are not enforcing the legislation on the books unless we employ ultimate sanctions. Even students seem to think that penalties must be severe and detection methods infallible or we are, somehow, hypocrites--declaring ourselves for standards, "crucifying" a violator every now and then, but largely ignoring what are said to be "obvious" violations. Students claim to be surprised to learn that college officers respect their basic civil liberties and do not, therefore, go on what my dean of men calls "fishing expeditions." It seems to me that rules are being enforced when action is taken as a result of violations

that are so evident as to attract general public notice. We do not accuse the police of failure to enforce laws against underage drinking when a sixteen year old imbibes in his own home. No more should we accuse a dean of hypocrisy when he declines to search a student's desk drawer for contraband liquor.

It seems to me that a college's rule structure should relate as closely as possible to state and federal statutes and that any departures should be justified on the basis of specific reference to educational concerns or to some special aspect of the institutional character. I think that the omnipresent student objections to rules restricting drinking and dormitory visitation can be answered by referring to state law. Bars can check a customer's age before selling him liquor, but how can a college know whether underage students are imbibing if liquor can, legally, be brought into dormitories? Most states have laws forbidding unmarried couples from occupying hotel rooms. Is a college so terribly old-fashioned when it considers its dormitory rooms like hotel rooms and, therefore, inappropriate locales for single-couple dating?

There are many unfortunate results of the current student dislike for any kind of externally imposed restrictions. If we see no reason to respect one rule and do, in fact, violate it with impunity, are we not quite likely to try the same thing with another? A student brings liquor into the dormitory this month and marijuana next. He manages to slip a girl into his room on one occasion, and, on another, brings in books and records stolen from the campus store. This fall, on my campus, three fundamentally fine youngsters were apprehended after each had stolen over three hundred dollars worth of low-cost items from the book store. Their "motive" was the same as that reported by the Harvard student in the "Campus Shoplifters" article in a recent Wall Street Journal--"I needed the book, and they (the store) could afford to lose it." In suggesting that college rules don't matter, that violations are sanctioned and will ultimately lead to repeal, are students coming to believe that

all laws are of doubtful validity?

Dr. Dana Farnsworth, Director of the Harvard Health Services, has another explanation. He tells the story of a six-year-old's father who angrily telephoned the parents of his son's seat-mate at school. It seems that the one boy was continually stealing the other boy's pencils. "Understand," said the father, "It's the principle of the thing. The pencils aren't important. I can get all the pencils I need from the office."

So we are brought full circle. Can we expect a generation of students, sensitive to the outer-directed idealism of a Kennedy and the inner-directed idealism of a Huxley, to view with equanimity the shortcomings of their elders? When these students see us padding expense accounts, profiting from the smutty contents of so many current magazines, books, and movies, continuing our woeful record of discrimination against the Negro, even taking pencils from the office --are they not likely to question the validity of our rules as opposed to their ideals. A good example is still a more effective teacher than a rigid rule. Perhaps the major need for our confused and disordered world is for more exposure to the genuinely heroic, to a Kennedy or a Huxley. Where are they to be found today?

(The following is my response to Dr. Adams' paper, delivered to the 1968 NASPA Convention.)

WHY AREN'T YOU THE HEROES?

by Teddy O'Toole
Vice-President, Educational Affairs, USNSA

Dr. Adams, you and your small band of colleagues are seeking to continue an educational system which holds up to its students traditional moral and ethical standards. The manifestations of your efforts are rules which limit individual freedoms. I, and my small band of student power advocates, are attempting to construct an educational system which will be free and fluid, which will allow for intimacy with both ideas and other people as an integral part of its functioning, which will manifest itself in the absence of rules. I call you archaic; you call me permissive.

While we pursue our lonely courses, seven million students are laughing at each of us with equal amusement.

Why? Because neither of us is a hero... yet. You are laughed at because you have the power to control their bodies and frustrate them in the process, but you cannot in the end alter their thoughts. I am laughed at because I understand their thoughts but have not yet demonstrated to them that I can get the power to free their bodies.

We must understand who "they" are. They are unique in history. They discovered at six that they learned things from their television, their movies, their travel, and their peers; not their parents, their religions, or their schools. At twelve they saw Kennedy on television denounce the McCarthyism and bigotry of their elders, and wondered why their parents voted against Nixon because of his beard rather than because of his bankrupt policies. At fourteen they read and discussed Peyton Place from the drug store and Sex After Forty from under their parents' bed, and decided not to ask

about the "birds and the bees." At sixteen they roamed into the ghettoes or tenant communities with their friends and wondered why their friends didn't revolt openly. At seventeen and in love, they knew the techniques of contraception from McCall's and chuckled when their mothers gave them "a new kind of pain pill" which was to be taken twenty days in a row instead of just when the cramps came. At eighteen they have not only experienced sex, marijuana, and alcohol, but also judged their reactions against the mess of their suburban elders, through Valley of the Dolls, Days of Wine and Roses, and Monkey on My Back. At twenty they have travelled alone through America, Europe, and Asia and discovered how much they love Americans, Europeans, and Asians, and how much they detest Johnson, Kosygin, and Mao.

It is almost as absurd to think that you can imprint traditional moral and ethical standards on their minds with your rules as it is to think that I can make them promiscuous by obtaining the power to remove rules!

Your rules certainly do not change the minds of students with regards to moral and ethical standards. But even further, they do not even serve the subtle purpose you envision of being "recognized norm(s) against which value systems can be tested." While you and I argue about women's hours, intervisitation, and alcohol bans, they are in their rooms dispensing with the trivial decisions of when and where they are going to have sexual relations, what types of contraception they are going to use, and when and where they are going to drink alcohol.

What your rules do, in fact, is bother the students, stifle both the physical and academic environment of the campus, and cause a great deal of frustration for them in carrying out the acts they have already decided to do.

You see, they have to get these small decisions out of the way quickly so that they can face the real moral decisions. Whether they are conscientious objectors and resisters, or whether they actually have a responsibility to fight for their

elders in Vitenam. Whether they have the courage to put their bodies between the national guardsmen and rioters. Whether they will sacrifice their almighty and meaningless grades in order to go out and work full-time for McCarthy.

Gentlemen, the time is ripe for two sets of heroes to emerge. The first set will emerge when it quickly moves to free students' bodies from meaningless rules. You now have the power to do that. My group is moving toward that near-future point when we can demonstrate that "they" can have the power if they employ the right tactics.

You have the jump on us. Why aren't you the heroes?

The second set of heroes will emerge when it demonstrates a way to eliminate war, riots, and poverty, the root causes of those real moral decisions. For God's sake, let us find a way to work on this venture jointly.

So I find it very hard to understand how you attempt to justify restricting personal freedom under the guise of either adhering to "broad educational purposes" or "clearly defined institutional character." In fact, I find it difficult not to react violently to your attempt. Though you deny it, aren't these really just new ways of disguising in loco parentis?

Stripped of its rhetoric, you admit that broad educational purposes means special citizenship. I interpret that to mean second class citizenship. The history of this country is the history of revolt by second class citizens. I am afraid that institutions will be hauled into court from one end of this country to the other until the principles of Goldberg vs. the Regents of the University of California is reversed. Dickey vs. the Board of Education of Alabama may only be the start. I would add, however, that a good way to prevent these oncoming legal confrontations is by endorsement of the Joint Statement by all parties and the establishment of a national enforcement mechanism.

Your attempts to justify bans on dormitory intervisitation

and alcohol as adhering to broad educational purposes and paralleling state and federal law is particularly distressing. First, you float a bond to build a dormitory without consulting students. Then after the dorm is built, you require some or all of the students to live in it in order to liquidate the bond, but you tell the students that the reason is because residential colleges have broad institutional purposes and the dorms should be "home." Then you say that the students can't treat the dorms as homes, because they are subject to hotel restrictions which parallel state and federal restrictions. Then, in contradiction to state and federal law, you feel justified in searching the "hotel" rooms without warrants.

In relating conduct standards to "clearly defined institutional character," I assume you are defending the right to unchallenged existence of schools that by tradition and endowment seek to propagate certain specific moral and ethical standards. This assumes that there is a continuum from the finishing school to the ivory tower into which prospective students wish to plug themselves, with the advice of their parents. I hope my earlier comments clearly suggest that prospective students see and desire no such variety of choices. Morally and ethically, they are universities unto themselves when they enter.

I wouldn't go so far as to suggest that there is yet a "global tribe," but the American college student community comes closer to bearing out McLuhan's thesis than any other group I know. Students don't anticipate clearly defined institutional character; they painfully discover it.

But your "practical" concern for clearly defined institutional character interests me more. Will that all-important constituent of higher education, the donor, close his purse if rules are removed? Perhaps so, perhaps not. But one thing I know. In the very near future the knowledge explosion will extend to the point of making high school students well aware of which schools will attempt to impose rules on the basis of institutional character and which will not. Then we will see which hurts more: the withdrawal of the donor,

or the withdrawal of the consumer.

I find, however, that my cynicism destroys my effectiveness in debating broad educational purposes and clearly defined institutional standards as bases of conduct codes and rules. This is because student cynicism about attempts to affect their moral and ethical standards destroys the effectiveness of the rules. Their bodies can be controlled; their minds cannot; then the rules promote only frustration.

So now, sir, we have indeed come full circle. We have come through three hundred years of stagnate morality and stagnate educational systems only to find ourselves back again to Milton's concept of the "true warfaring Christian" who knows good only through rejecting the "baits and seeming pleasures of evil."

We have recognized that students learn moral and ethical standards, not by fiat, nor by examples in the form of standards and reflection-type rules, but by experience. We know that they have learned, because they have changed. Students learn and have learned by experience. EXPERIENCE, EXPERIENCE, EXPERIENCE, EXPERIENCE, EXPERIENCE.

There is no room along the "hard Promethean way" for locking women up at night, banning intervisitation and liquor, or things of the sort. More important things are at hand.

A better paraphrase of that popular song is "When will they ever learn?"

A set of heroes is in the making.

CHAPTER 4

The courts of the states and the federal government exist in part to protect citizens, including students, from arbitrary and unnecessary restrictions. The fight against arbitrary social rules in many cases must be carried to the courts. The groundwork for court action has already been laid. It is now up to us to continue to build on this groundwork until campus environmental freedom is a reality and is required by law.

In legal theory, the case of Dixon vs. Alabama abolished in loco parentis. In legal theory also, however, Brown vs. Board of Education abolished racial discrimination. As we have seen, one decision does not a free society make, nor does one decision a free campus make.

Mary Louise Frampton of USNSA's Student Legal Rights desk has summarized the present state of legal affairs with regard to student freedom in the following chapter. Even as she was writing we were awaiting several important decisions, including the decision concerning the constitutional challenge to women's hours initiated by freshmen women at Oneonta State College in New York. (See Chapter 7, Section 1 for the background of the Oneonta case.) Mary Louise was assisted in her research by Dave Ifshin, a sophomore at Syracuse University.

My thanks to both of them for their interest and efforts.

IN LOCO PARENTIS '68 IN THE COURTS, or, ONLY THE GHOST REMAINS

by Mary Louise Frampton

One of the greatest threats to the development of a modern conception of the role and function of today's university is the subtle temptation to settle for the application of old solutions to new problems. The procrustean stretching and mangling of outdated procedures and policies in an inevitably futile attempt to force them to satisfy the very grievances that their use was largely responsible for creating is not only a stagnating influence, but a serious danger to the creation and maintenance of meaningful communication within the university as well.

The continued application of the in loco parentis concept to the relationship between the student and the administration of the university is just such a danger. The theory that the university is entrusted with the parent's role via a theoretical contractual arrangement between the bona fide parent and the school was developed in this country through a series of decisions involving circumstances no longer analogous to the present situation. Although colleges have changed dramatically in purpose and personality over the years, the theory has until recently remained virtually intact and unchallenged by the courts.

The in loco parentis doctrine may well have been reasonable for the early 1900's when many colleges were small and personal. Students were considerably younger and more inexperienced than they are today so the transition of control from parent to dean seemed natural and necessary. In addition, only a select few, often the wealthy, had the benefits of higher education. A college diploma was the exception, not the rule, and certainly was not regarded as a necessity for achieving success. A university education was indeed a privilege, and therefore liable to the regulation and control of the administrators.

The classic legal defense of the in loco parentis doctrine appeared in Gott v. Berea, a 1913 Kentucky case. The court ruled that: "College authorities stand in loco parentis concerning the physical and moral welfare, the mental training of the pupils, and we are unable to see why to that end they may not make any rules or regulations for the government or betterment of their pupils that a parent would for the same purpose. Whether the rules or regulations are wise, or their aims worthy, is a matter left solely to the discretion of the authorities, or parents as the case may be..."[1] The right of Berea College to prohibit students from entering off-campus stores was upheld. The appellate court refused to even consider the possible misuse of in loco parentis. The court's only concern was the possible denial of due process to a petitioning store owner near the campus, and even that was held secondary to the larger issue of college administrative power. The court tersely commented that if in loco parentis were open to litigation, it would not be long before the authoritarian prerogatives of the colleges were challenged and that even the right to require compulsory chapel could eventually be undermined.

Eleven years later in 1928 in Anthony v. Syracuse the court upheld the doctrine of in loco parentis by stating that the defendant, a student, had signed away many of his rights in a waiver required by the university. The ruling, however, included a provision that such a waiver did not give the university absolute authority over the student.[2] Perhaps to the students of the 1920's this seemed quite a concession!

Even at that time the analogy between the parent and the university was theoretically legally unsound. Parents do not often "expel" their children from the home nor even "suspend" them, yet these are the chief punishments which the university brings to bear on its students. In fact, "for a parent to attempt to throw his child out may well result in criminal prosecution of the parent by the State." In addition, it surely would not be held that a parent's authority extends to preventing a child from matriculating in a university or to stopping him from entering a given profession.[3]

Today both the university and the society in which it operates are drastically different than they were in 1917 or 1928. The emergence of the multiversity with its huge bureaucratic administration plays havoc with the in loco parentis concept. The relationship between administrators and students is, at best, impersonal and, at worst, non-existent. Although the administrator has forfeited his responsibility and duties as a substitute parent, he has retained the arbitrary privileges and disciplinary rights the student is forced to yield to him in exchange for the administrator's supposed guidance.

Students of the 1960's are older and more mature than their counterparts of half a century ago. Almost all entering students are at least eighteen and the average age of all students, including graduate students, is above twenty-two. "The proposition that summary discipline by a university is justified because it is dealing with 'legal infants' whose collective welfare must be safeguarded by keeping them free of contamination by undesirable elements, simply will not wash."[4]

Even more important is the fact that today a university education is a crucial prerequisite to pursuing almost any career. As the U.S. Supreme Court in Brown v. Board of Education stated emphatically in 1954, and which is even more the case in 1968, "today, education is perhaps the most important function of state and local governments."[5] First in Dixon v. Alabama and later in Knight v. Board of Education, "the traditional argument of a university education being a privilege and not a constitutional right was specifically rejected."[6]

Also, in the 1960's the concept of academic freedom applies to both the student body and the faculty. In the time of the Berea case, faculties were still trying to win academic freedom for themselves.

Considering the in loco parentis doctrine in a strict legal sense, it is unconstitutional for a person to sign away

the rights which he has as a United States citizen when he enters a university and becomes a student. What the state cannot do directly it cannot do indirectly. The court has defined the doctrine of unconstitutional conditions as being that "a state cannot condition the granting of even a privilege upon the renunciation of the constitutional right to procedural due process." Professor Van Alstyne has pointed out that this doctrine may have immediate application to college rules restricting a student's freedom of speech, religion, privacy, and "other interests protected by the due process clauses' application to the states of many restrictions of the Bill of Rights."[7]

In this discussion we have been referring specifically to public universities. But the distinction between public and private education is diminishing rapidly. In the recent case of Guilloy v. Tulane University, Judge Skelly Wright held that Tulane, although a "private school" had a degree of connection with the state such that it was subject to constitutional requirements. He questioned "whether any school or college can ever be so 'private' as to escape the reach of the Fourteenth Amendment... Clearly the administrators of a private college are performing a public function. They do the work of the state, often in the place of the state. Does it not follow that they stand in the state's shoes? And, if so, are they not then agents of the state, subject to the constitutional restraints on governmental action."[8]

Professor Levine extends this idea: "The involvement of these (private) colleges in quasi-governmental activity, the public importance of their function, and their frequently close association with the federal government, raise the possibility of extension of constitutional doctrines by 'para-constitutional' techniques such as have been used in other areas of the law to proliferate the purpose of constitutional doctrines."[9] Private universities and colleges have really become semi-public. Much of the money private universities receive comes from the government, often in the form of direct grants. The government always exercises some control over the affairs of private colleges. Several states

even have special agencies to supervise the administration of private universities. In some cases, universities are chartered by a special act of legislation, which often includes a specific delegation of legislative power. Some colleges (for instance, Harvard, Stanford, and Tulane) are explicitly constitutional bodies in that their creation is confirmed by name in the state constitution. Also, the state, not the university itself, reserves the power and authority to grant degrees.[10]

As Professor Roy Lucas has stated so succinctly, "administrators sometimes consider their role as that of parent-substitutes. The in loco parentis theory is still popular with administrators. It has been rejected, however, by the courts."[11] In the 1967 case of Goldberg v. Regents of the University of California, concerning the expulsion and suspension of students for their behavior during demonstrations, the California District Court of Appeals held that, "For constitutional purposes, the better approach, as indicated in Dixon, (Dixon v. Alabama) recognizes that state universities should no longer stand in loco parentis in relation to their students. Rather, attendance at a publicly financed institution of higher education should be regarded as a benefit somewhat analogous to that of public employment."[12]

How, then, should universities decide which rules to make? It is widely agreed by legal scholars that university regulations should be directly related to the academic function of the school. Professor Van Alstyne, who states that he thinks student handbooks "resemble state or municipal criminal codes in respect to the kinds of conduct they tend to forbid or require," believes that "an institution, in formulating and enforcing rules, ought to be able to justify those rules on the merits of being distinctly related to a proper concern of an educational institution."[13] Just as the personal life of a public employee should be of little concern to the state, so should the private affairs of a student be largely unregulated by his university. Since the administrator no longer acts as a parent, he must rescind the privileges

that are concommitant with the responsibility and institute in their place a reasonable system of due process. Professor Van Alstyne also points out that if universities disassociated themselves from the activities of their students off campus that the public will soon cease to blame the school for the "misbehavior" of its students.

Although the number of cases brought by students has increased in the last few years, many student rights have yet to be tested in the courts. Professor Roy Lucas has outlined the rights which courts should be defending.[14] Freedom of expression, which includes holding of meetings, inviting controversial speakers, and demonstrating peaceably, is an important student right. Freedom of the student press is a right often ignored by administrative censorship. Compulsory ROTC and compulsory chapel may well violate a student's freedom of religion. Dormitory searches infringe upon rights to privacy, as does the release of student records in some circumstances and confidential information between students and physicians and psychiatrists. Protection from double jeopardy, or being punished by both the university and by civil authorities for the same offense, is often a student right. Equal protection of laws for non-resident, Negro, and female students should be guaranteed. In a disciplinary hearing for suspension or expulsion, a student has the legal right to procedural due process, which includes notice of charges and an impartial process.

The student presently has little influence vis-a-vis the administration. The courts, with their changing interpretation of the doctrine of in loco parentis, is now one of the most powerful tools which the student can use.

CHAPTER 4 - Footnotes

1 Gott v. Berea College, 156 Ky. 376, 161 S. W. 204 (1913)

2 Anthony v. Syracuse University, 224 App. Div. 487. 231 N. Y. Supp. 435 (1928)

3 Van Alstyne, William W., "Procedural Due Process and State University Students," UCLA Law Review, Vol. 10, 1963 (reprint).

4 Ibid.

5 Brown v. Board of Education, 347 U.S. 483 (1954).

6 Knight v. State Board of Education, 200 F. Supp. 174, 176 (M.D. Tenn. 1961).

7 Van Alstyne, William W., "A Perspective on the Constitutional Frontiers of Student Academic Freedom," The College Council, Vol. 2, Number 1

8 Guillory v. Tulane University, 203 F. Supp. 855, (E.D. La.), Vacation of decision approved on appeal of new decree, 306 F. 2d 489 (5th Cir. 1962)

9 Levine, Martin, "Private Government on the Campus - Judicial Review of University Expulsions," Yale Law Journal, Vol. 72, No. 7, June 1963

10 Ibid.

11 Lucas, Roy, "Constitutional Litigation as a Method of Protecting and Expanding Student Rights" 1967

12 Goldberg v. Regents of the University of California, 57 Cal. Reptr. 463 (Ct. App. 1967)

13 Op. Cit., Van Alstyne, "A Perspective..."

14 Op. Cit., Lucas

CHAPTER 5

TACTICS FOR ELIMINATING ARBITRARY RULES

The best resource at your disposal is you. Use it. You know your campus, you know what will work best. Your greatest asset is the conviction on your part that what you are doing is right and that you have the capacity to do it. Your greatest liability is your occasional tendency to make an adult argument in a childlike manner, and administrators who perceive a childlike manner have won the first round.

The second best resource at your disposal is the principle for which you are fighting. It is morally, legally, and educationally absurd to submit college students to the indignity of having their hours regulated, their opportunities for private activities stifled, their appearances dictated, and their personal lives in general controlled. This principle should be the raison d'etre and la voix formidable of your activities, and if you articulate it consistently and with determination, the arguments of your opposition will wither away to what they really are, i.e., the arguments of surrogate parents and people who resist giving up power simply because in the process they become less powerful.

The following steps may help you as guidelines:

1. Choose the social rule you want to eliminate first, and gather around you a committed core of people who are willing to break that rule. Of course, breaking the rule should not be the first tactic. But such a core group of committed people will be invaluable in supporting you, working with you, and if need be, backing you in direct action.

2. Research the entire area of social rules. See the bibliography of this pamphlet for suggested readings, and see the case studies in this pamphlet for examples. Then research your own campus until you find out exactly where

the power with regard to social rules lies. This may not be easy, since the cardinal rule of administrative control over supposedly free people is that the true seat of that control be hidden completely from those people. If you do not identify the true power before you start bargaining, then the bargaining process may take you through an endless number of bureaucracies, and has been known to while away four years of work.

3. Having identified the source of power, you should next find out where in the community your friends are. Perhaps the Dean of Student Affairs is a man just looking for an opportunity to show the President that students despise social rules. Perhaps the Dean of Students, on the other hand, agrees with the President that the campus should be controlled and will oppose your efforts. Find these things out. Also, find out what faculty members will support you. (There was an age, now called the McCarthy era, when faculty members themselves fought the environmental control problem.) Get a group of faculty members to make a statement, get the local AAUP to make a statement.

4. Consult a lawyer. Try the local ACLU, try a recent graduate of law school who wants to make a name in the local political scene, try the law school itself, both professors and students. Of course, there are lawyers who themselves support social rules and resist the courts current liberal trend with regard to student freedoms, and who will make a persuasive argument to you that you haven't got a legal leg to stand on. Leave these lawyers and go on to those who are willing to help you find campus freedom in the United States Constitution.

In the meantime, remember that many a campus reformer has found himself without a campus to reform because he didn't keep his grades up, got too many parking tickets, etc. A word to the wise is sufficient.

5. Make noise. Write in the paper, make speeches, hand out leaflets, let people know that you want to help free

them. By this time you should have completed your research. Once this has been done, run a survey. After the survey, initiate a referendum. This is a very critical stage, since we so often fail to recognize that a referendum is a political thing. Get out there and campaign for what you want. In a democracy a referendum is like an election, and in order to win a referendum it is up to you to get people who agree with you to the polls. The administration doesn't have to campaign, because it has behind it the weight of status quo, and don't underestimate that.

(Honesty dictates that I make this next statement. For years power with regard to social rules, particularly hours and parietal intervisitation, has rested in the Associated Women's Students, away from the general student government, away from the general student populace. AWS has a history of being the administration's arm of student government with regard to social rules, and in many cases their existence has prevented any progress toward environmental freedom. Throughout your work, AWS may be your opposition. If you are in AWS, and you are leading the fight now, my apologies to you. But on many campuses such is not the case.)

6. Go to the seat of power and bargain, as an adult who has the goods on social rules.

7. The seat of power will send you to a committee of some kind. Go prepared. The committee will want to bog things down in research and discussion, but you have already done your research. You are ready to bargain. You should discuss nothing but the principle involved in freedom from social rules, and get an agreement on that before you move on to anything else. Then agree to move on to the technicalities and adjustments that will have to be made when the rule is eliminated. This is your most critical moment. If you let the bargaining be diverted from the principle to the technicalities, you are sunk. Period.

Two technicalities are generally used by administrators

to divert your argument away from the principle with regard to women's hours. The first is housemothers. The housemothers, or their employees, will have to stay up all night to let people in, they will say. You simply say that for all you care the housemothers can sleep twenty-four hours a day, since the principle of your argument says that women should have keys to get into their own homes. Then they will say that distribution of keys will create a security hazard. But you have handled this also. A California firm can furnish magnetic card keys to your entire campus at much less expense than the present salaries for one house mother. The firm is:

Card-Key Systems, Inc. Phone: 213-849-3154
P. O. Box 589
Burbank, California

Two technicalities will be raised in order to divert you if your issue is intervisitation. The first of these will be the door-open argument, or the proctor argument. When they mention these things, you should be so openly indignant and belligerent that they dare not mention them again. If they do mention them again, you should walk out then and resort to civil disobedience. The second technicality here will be the problem of "gang showers" and the threat of indecent exposure. Your first argument should be that you don't wish to suffer the consequences of the university's having built dorms, without consulting students, on the "hall system" plan instead of the "suite system." But since that has already been done, you will rely on the good sense of hall residents to regulate their activities so as to avoid embarrassing situations.

8. Throughout all this, beware of the proposal for giving rule-making powers to living units. This type of proposal sounds very democratic, but in fact students in individual living units have no more right to control your personal affairs in the future than the administration does now. And if you do allow living units to control people, then a person in one of those units is going to get hold of this pamphlet,

start a movement and you are going to be in the same situation as the administration was when you started your movement.

As the 1968 student power statement of the student government at the University of Wisconsin put it: "We feel that hours are a matter of individual liberty and cannot be delegated or legislated upon even by a student organization."

9. If in your bargaining you can gain agreement on the principle, and can work out the technicalities, then get a specific date for the rule to be eliminated. If you cannot get a specific date, then give the administration an ultimatum date.

10. If your proposal is turned down, or the ultimatum date is ignored, then get all the people who will stand by you and publicly break the rule. If nothing happens, keep breaking it until the rule is eliminated de jure or de facto. If the university threatens disciplinary action against the group, or against the leaders, then go to your lawyers. First file for an injunction against discipline, then challenge the constitutionality of the rule. Again, make noise and get support. You will be amazed at the amount of support you will get from the students at this point. Then the masses see that for breaking a silly rule, someone is trying to get you out of school, and they won't like it.

11. If your proposal is met by a compromise proposal from the administration, then it is up to you to decide if that is satisfactory.

12. Throughout the plan, keep the USNSA regional office and national office aware of what you are doing. Press them for help, and you will get it.

CHAPTER 6

TOWARDS BUILDING A NEW ENVIRONMENT AFTER THE ELIMINATION OF SOCIAL RULES

If your goal is the elimination of women's hours restrictions and/or the elimination of bans on intervisitation, as opposed to the elimination of dress regulations, drinking bans, etc., then it is necessary to prepare for the possibility that, even in a non-restricted environment, students will find it difficult to break away from conditioned, stereotyped behavior. What problems will you encounter in this event, and what models can be constructed to solve the problems?

Assuming that removal or modification of restrictions on intimacy is possible, one must simultaneously address himself to the question of building into the environment a model for positive promotion of sensitivity and interpersonal development. Although removal of the barriers is the first and most important step, even that might not change the atmosphere of the campus sufficiently to insure a totally healthy environment.

The next problem to be dealt with, then, is that of developing models for residential campuses which encourage free opportunities for interpersonal contacts to be made in order that the deeper relationships might follow.

The development of a new model for social intercourse becomes even more pressing upon examination of the attempts presently made by administrations. The "mixer" is a good example of the present type of attempt. Although the mixer might have been adequate for the roaring twenties, students of today most often label it "superficial," or even compare it to the "cattle market" where men size up the new herd that has just come into the pavilion.

Discussion of sexuality issues is generally shuffled off

to religious groups where the administration can be assured that the dialogue will be adequately tempered with considerations of "morality" and "ethics," and where it is fairly safe from outside criticism. Sex education may be available from one of a number of campus sources, but generally it is tucked into the "Marriage and Family" course in the Sociology department.

The Model-Building Work of the CES Thus Far

USNSA's CES has already laid solid groundwork for dealing with this segment of the problem by conducting several campus experiments designed to promote interpersonal intimacy. Although not attempting to deal with the problem of ongoing environmental control, the experiments utilized the theory of psychiatrist Erik Erickson with regard to adolescent development, specifically that part of the theory dealing with the development of intimate relations with members of both sexes as a prerequisite to personality maturation.

The experiments were divided among the three situations most representative of colleges in general: the non-coeducational campus, the "brother-sister" campus, and the coeducational campus.

Princeton University and Manhattanville, both non-coeducational institutions with different locations but with a high level of inter-dating, participated in one experiment. The ongoing situation was typical, i.e., the Princeton men would invite Manhattanville women in for a weekend, generally having met the women only a short time before, and the couple would have 24-36 hours to develop a relationship. The general assumption in this type of dating is that if the man doesn't make it in that time, or the woman doesn't appeal to him the relationship has failed.

The experiment in this case was a weekend affair in which 20 Princeton men and 20 Manhattanville women met in encounter groups, sensitivity training sessions, with the

hope that relations would be formed in a more honest atmosphere with a greater personal understanding of each other by the participants. The CES reports that methods of relating, in even the experimental framework, were so conditioned and distrustful at first, that the project was almost deemed a failure, but that in the final sessions on Sunday breakthroughs were made. Follow-up study showed that in many cases relationships continued successfully and that most participants recorded the development of a new approach to intimacy.

Brown-Pembroke and Notre Dame-Saint Mary's, both brother-sister campuses with the same locations but with different administrations also had experimental programs. The problem in this type of school is the stereotyped disdain that generally develops between the two schools because of failures for satisfying relations to be developed. Using similar techniques as in the Princeton setting, the CES reports that the Notre Dame-Saint Mary's result showed that the model worked, but that the tradition of the "Pembroke woman's" supposed inferiority to the "Brown man" was so strong that a new model will be needed.

Ironically, coeducational institutions often reveal the same problems that both mono-sexual and brother-sister campuses show, which is a comment in itself on the success coeducational administrations have in preventing contact, by means of rules structures, even though the men and women go to classes together and live on the same campus. The experiment at the University of North Carolina at Chapel Hill, a large coeducational institution, took its participants right into the dormitories for the encounter groups, and was relatively successful.

Sex Education and Availability of Birth Control Devices

The final problem to be dealt with is the dual one of inadequate sex education and the unavailability of birth control devices. Assuming that a healthy environment for in-

terpersonal contact is generated on campus, the problem of sex education and birth control becomes paramount.

There are apparently two major problems associated with developing adequate sex education programs. The first is a psychological bloc on the part of the students to actively seek out and learn the rudiments of physiological sexuality. Sex and the College Student, by the Committee for the Advancement of Psychiatry, noted that despite the availability of information on the open market, students seemed reluctant to make use of it. The health services director of a liberal private northeastern women's college informed us by letter that "one of the greatest mistakes that colleges make, in general, is the assumption that students have a fair amount of knowledge about sexual anatomy and processes. The naivite and folk lore that they entertain is hard to believe in people otherwise so sophisticated." He went on to say, however, that a program he is involved in presently seems to be successful primarily because it was student initiated and directed.

At any rate, developing a model for successful presentation of sex education will be a problem to be dealt with.

The second problem with regard to sex education is legal. Students at Boston University initiated a program in this area and felt the strong arm of the law. When 3,000 students massed to hear a birth control lecture by Bill Baird, they saw him promptly arrested and hustled off the stage for violating Massachusetts anti-birth control statutes, and later receive a ten year jail sentence for his philanthropic efforts. In other instances administrations have made quiet arguments to students who wanted to initiate sex education programs that state laws were prohibitive. You should be prepared to challenge the state laws when local student groups are willing.

One of the thorniest problems is procurement of birth control devices. General administrative stated pclicy is usually against distribution of devices to unmarried students

from the university infirmary. Occasionally an individual doctor in the infirmary, however, (generally those who have been referring students for abortions), will have liberal policies. Where this is not the case, problems are created. The student body president at Southern Illinois University had several noisy battles with administrators this year because women who sought pills from the infirmary got morality lectures instead. The women in the small private college located in a small town is in the worst position, since attempts to procure devices can lead to social threats or even prosecution by the administration. Again, you will have to deal with the question of availability of birth control devices.

CHAPTER 7

ASSORTED ARTICLES AND CASE STUDIES

(Elimination of women's hours, and elimination of bans on intervisitation, are the most important and controversial areas of present environmental freedom struggles. The first two sections of this chapter deal with those two areas. Of the host of other social rules under attack, including dress regulations, off-campus housing restrictions, compulsory chapel, drinking bans, etc., I have chosen dress regulations fights as being representative of the core issue, and accordingly the third section deals with dress regulations.)

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Section 1

WOMEN'S HOURS

(On April 5, 1967, a policy of no set hours for sophomore, junior, and senior women went into effect at Washington State University, Pullman, Washington. The following is a reprinting of the report that recommended the move to no hours, and affords us an excellent case study of how it should be done.)

A STATEMENT OF
PROGRESS, PHILOSOPHY, AND PROPOSAL

Washington State University
Associated Women Students
Hours Evaluation Committee
January 9, 1967

Introduction

In an effort to achieve mutual understanding of our goals

and purposes, the Hours Evaluation Committee believes that it is appropriate at this time to present a statement of progress, philosophy, and a proposal to all concerned and interested in the present study of our hours system. The body of this report, then, will serve as a progress report and philosophical statement to the administration and students of the university. It is divided into the following sections:

I. Background
II. Summary of action taken thus far
III. Philosophy of the committee
IV. Recommended Proposal concerning women's hours
V. Inclusion of statistical data and examples of forms used in polls

I. Background

At the AWS House of Representatives on May 4, 1966, the Hours Evaluation Committee was activated in response to an expression of student opinion that a re-evaluation of WSU's hours system was needed. Since that time the committee has been actively engaged in conducting a comprehensive study of the problem in order to formulate a rational recommendation. Currently, members serving on this committee are:

June Remboldt, Chairman, President, Scott Hall, Senior
Janet Henning, AWS Key Committee Chairman, Scott Hall, Senior
Johanna Slind, President, Wilmer Hall, Junior
Patricia Bell, President, Alpha Chi Omega, Senior
Sue Wayenberg, AWS Freshman Greek Senator, Alpha Omicron Pi, Freshman
Donna Appel, AWS 1st Vice President, Wilmer Hall, Senior

During the past several months, the committee has been involved in exploring the philosophy of an hours system, has

conducted a study of trends in other universities, has sampled student opinion and has thoroughly considered various proposals for change. The results of all these steps are presented in the remainder of this report.

II. Summary of action taken thus far

A. May 4, 1966

Committee activated at AWS House of Representatives Meeting.

B. May 6, 1966

Letter to Daily Evergreen informing students that steps were being taken toward evaluation.

C. June, 1966

A four page questionnaire was sent out to 65 colleges and universities throughout the nation to enable us to gain a spectrum of workable policies and to ascertain how our present system compares to others. Fifty-nine of these were returned and the tabulated results are presented at the end of this report in Appendix I. By way of a brief summary, the study showed WSU to have hours and women's regulations comparable to the highest percentage group of the schools polled with the following exceptions:

1. Special extensions for a one night only campus-wide activity are granted to all students by 57.63%.

2. 71.9% indicated no key policy of any kind.

3. Privileges in hours generally increase with class standing in most schools.

D. November 1-3, 1966

A questionnaire was given to each woman in residence at WSU. A total of 2820 were filled out, returned and tallied. A sample questionnaire, tally sheets and the results are included in Appendix II. Again, by way of brief summary:

1. A majority of the freshmen indicated that their present hours were satisfactory with the exception of weekends; however, when all classes were considered together, the largest percentage felt that freshmen hours should not be extended for any night.

2. A majority of sophomores felt that their own hours should be extended for all nights; all classes considered together indicated the same opinion, except that the majority felt that a Sunday night extension was not necessary. The most common hour indicated for extension was one hour past the present closing hours.

3. In all cases, the majority of juniors indicated that extension of their own hours was desirable. Of this majority, about half indicated that no hours were desirable, and half indicated some specific hours, most commonly one hour past present hours. Totals of all classes showed that the largest percentage agreed that extension of junior hours was desirable. Over half of the people responding said that keys should be extended to juniors.

4. On other points, the largest percentage expressed was:

   FOR key sign-out slip revision
   FOR 1:00 semester break hours
   FOR maintaining the procedure of signing out

of the living group if a girl is out on a key past hours
FOR carrying the key all semester

5. For other points, refer to the tabulated results. Note: the results of I, d and e of the questionnaire are not included as they had no specific relevance. However, these results will be on file with this committee's final report.

E. November 4, 1966

The completed study of trends in other schools combined with a committee progress report was given general release, and copies were sent to participating schools. The results were printed in the Daily Evergreen.

F. November 10, 1966

The results of the study of other schools were presented on KUGR radio.

G. December 6 and 8, 1966

Results of the WSU poll of women in residence presented to AWS House and Senate, respectively, and a brief description of the committee's viewpoint was given.

H. December 7, 1966

KUGR Radio report on WSU Women's poll results.

I. January, 1967

Presentation of the committee report.

III. Philosophy of the Committee

On the basis of the described studies and in the light of

many hours of discussion on an in-depth level, the following paragraphs represent the viewpoint of this committee.

We believe that the treatment of a system of hours as a moral regulation is invalid. This is especially evident from a consideration of the changing role of women in society. College is one of very few directions that can be taken by a woman after high school that leads to a situation of external regulation of her hours. Women who do not attend college are out on their own, working, or living at home where few have set hours. In addition our present system of hours actually forces no one to be in the living group at the closing hour. Neither can hours be considered as a regulator of a student's life in terms of providing enough sleep, study-time, etc., because although a girl has returned to her living group, no one can say what she must do there. Then, too, perhaps she could study elsewhere more effectively. It would thus seem that using a criterion of academic standing in any sense in order to determine a woman's hours privileges is not justified. In addition, if a philosophy of moral or personal time regulation is used to support a general closing hour applied to women students, then it should apply equally well to men.

Instead of acting as a moral or personal regulator, we believe that the purpose of any closing hour should be based on the idea of maintaining the security and safety of the girls within the living group. The crux of the problem seems to be this: the development of a system that will allow a woman to express individuality, maturity and responsibility, while at the same time to provide for the security of the living group during late hours. It is with this thought in mind that the committee is submitting the following comments: We believe that the outside doors should be locked at a reasonable hour in order to keep unwanted "visitors" out. It must be recognized that the university living group is a unique organization. With each girl, to a certain extent, rests the responsibility of safety, not only for herself, but to anywhere from 50 to 450 other women. Therefore, some measure of security is needed; that is, all women's living groups

should be locked at a certain hour of the evening. The problem now becomes how to admit students once the doors have been locked. Although some students may feel that this is unnecessary, we believe that it is necessary, and that students can also exhibit maturity by accepting the inconvenience as part of the uniqueness of the living group situation.

Under our present system of closing hours several disadvantages become evident under close scrutiny. First, the existence of a set hour puts social pressure on a woman student to stay out until that hour, when perhaps she would have come in earlier. This pressure is a very real thing as evidenced by discussion among students. Second, at the closing hour, the entrances and lobbies of most living groups are literally similar to a mob scene; a couple may have to unceremoniously sprint 150 yards to make it to the door; parking lots are jammed; housemothers and standards members may be seen pushing reluctant gentlemen out the door. Third, often a woman must interrupt TV-watching, a drive-in movie, card-playing, studying, discussion, or other fun times just to make it back at the appointed hour. Fourth, everyone returning to the living group at one time often creates excess noise in hallways disturbing girls who have gone to bed. Feasibly, then, with no set of closing hours, these problems could be alleviated since girls would be entering at various times.

It would seem that we are denying a woman the privilege of regulating her own social and academic activities and also the responsibility of doing so by having a set closing hour. It would also seem that the closing hour is incongruous with the role of women today, when the college woman is compared to her non-college age group. Surely, we can reason that a better opportunity for the development of self discipline can be provided.

The transition from a home-high school environment to college is a rather sudden and drastic one. There are many adjustments for a student to make: to the living group, to academic life on a self-motivating level, and to other areas

of new found independence. Therefore, it is recommended that freshmen hours be maintained as they presently exist. This viewpoint is overwhelmingly supported by the results of the poll, both by freshmen themselves and by all classes.

The conclusion is that it would be appropriate to extend a no-set-hours policy to all classes of women except the freshmen, whose hours would remain the same as they are at the present time. Although this direction, i.e., no set hours for sophomores and juniors, is not conclusively supported by the results of the poll, nevertheless the committee believes that significant action should be taken. To extend the closing hour for one hour each successive time that evaluation is called for is just short of ridiculous in principle and expenditure of time and money.

This section of the report outlines the conditions under which we propose this change

IV. The Recommended Proposal concerning Women's Hours

The AWS committee on Hours Evaluation after a study of parameters and on the basis of the derived philosophy presented in this report, recommends that the following proposal be accepted:

A. No set hours for senior, junior, and sophomore women and/or for women over 21 years of age.

B. Freshmen hours:

1. Hours as follows for freshmen women:

Monday-Thursday	11:00 p.m.
Friday-Saturday	1:00 a.m.
Sunday	12:00 a.m.

2. "Freshmen" shall be defined not on the basis of total credit, but on whether a woman has had the equivalent of two semesters of full-time college work.

C. Living groups are to be locked at the time of freshman closing hours.

D. The method of admitting women after the doors have been locked will be handled as follows:

1. Upon approval of this proposal, each living group will be asked to discuss and define several (at least two) methods that would be suitable for their situation. These should be listed in order of preference and worked out in detail. *

2. The committee in co-operation with the Dean of Women will consider suggestions that are submitted and will work with the living groups in arriving at a workable method. Upon satisfactory completion of this step, the change in hours policy, as indicated in IV. A and B, will go into effect in fall of 1967.

3. An up-to-date file, describing the method for admitting women after closing hours will be maintained in the Dean of Women's office.

E. Parental permission will not be required, nor will academic standing be used as a criterion for allowing a woman to use the hours privilege.

F. A woman guest may enter a living group after the lock-up hour if accompanied by her hostess.

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*The committee has considered several methods of admitting students after the lock-up hour, and has found that reasoning varies a great deal depending upon the size and specific circumstances of each living group. It might be noted that keys have been considered, but the committee agrees that security in large halls could be jeopardized by large scale possession of keys.

G. If this proposal is adopted, the following orientation measures are suggested:

1. Letters to parents informing them of the change and the philosophy behind it.

2. Individual living group orientation to procedure, required of all residents.

H. It is recommended that a simple sign-out system be maintained.

I. Overnight and out-of-town travel sign-outs will remain the same.

J. It is to be understood that a living group has the prerogative to maintain a closing hour for other than freshmen women. The proposal presented here is to be considered as a boundary condition only; there can thus be modification and variance within these bounds, with the understanding that a current plan will always be on file in the Dean of Women's Office and that no change will be made in a living group's policy without discussion with and notification to the Hours Committee and/or the Dean of Women's Office.

NOTE: The present concept of "senior keys" has been dropped as outlined in this proposal.

STEPS TO CHANGING THE HOURS POLICY

1. The Dean of Women, Dean of Students and the Acting President of the University have seen the complete report and proposal and have given tentative approval.

2. On January 17, AWS Joint House and Senate will either accept or reject the committee's report for discussion. This decision is not on the proposal itself, but only acknowledges that the study has (has not) been carried out satisfactorily.

3. House and Senate will then discuss the report and the points of the proposal.

4. Living group presidents will discuss with their exec and living group the report and proposal, considering the feasibility for their own group. A hand count of the living group should be taken so that presidents will definitely know their wishes.

5. February 21, AWS House will discuss the proposal further, and if an agreement is reached, the presidents will vote (representing living group opinion) on the final proposal. If approved, it will be on condition that each living group find a satisfactory method for putting it into effect in their own situation.

6. The final proposal is submitted to the university President for his consideration. The final decision rests with him.

7. Each living group will file their intended method of handling the change with the Committee and Dean of Women for consideration and final approval.

8. Goes into effect in fall of 1967.

9. Current file of living groups' procedures must be maintained in the Dean of Women's Office.

(If the administration and AWS at Washington State got away with retaining hours for freshmen women, the administration and student government at the State University of New York at Oneonta were not so lucky. At Oneonta, the administration and AWS reluctantly abolished hours for every one but freshmen, and then refused to grant elimination of curfews to freshmen women after a referendum to that effect had been passed. Result: a group of freshmen women deliberately broke curfew, and then brought a law suit against the college challenging the curfew on constitutional grounds. The following letter from Mrs. Sara Zilg and her husband, both students at Oneonta, tells the story.)

***

246 Chestnut Street
Oneonta, New York
May 25, 1968

National Student Association
Washington, D. C.

Dear Mr. O'Toole:

On April 2 and 3, approximately twenty freshmen girls at the State University College at Oneonta, with thirty more student supporters, violated curfew regulations with after-hour demonstrations. It is their belief that women's curfews are based on sexual discrimination (since no Oneonta boys have curfews), and are therefore unconstitutional. The College has since begun disciplinary action against them.

The curfew demonstrations were last resorts in a long series of attempts for change through the usual "channels." Last school year a petition calling for women's curfew elimination (except freshmen) was circulated by girls, and with over twenty percent of the student body's signatures was presented to Oneonta's student government grievance committee, Students United For A Responsible Education (SURE), created and then chaired by my husband, Gerard Colby Zilg. Mr. Zilg immediately took the petition to the Student Senate, which

passed it as a student government referendum, and put it to the student body for a vote. It passed overwhelmingly four to one. The job to implement the referendum was then handed to the Women's Student Government Association (WSGA), an arm of the College Administration that enforces its regulations and that had fought the referendum all the way. They then promised to work on a proposal to the Administration over the summer...

September came and WSGA had failed in their promise. Through efforts of Mr. Zilg, student pressure was put on WSGA and they finally constructed a proposal, which administration reluctantly passed after a month of deliberation with pressure by SURE Committee.

Meanwhile, freshmen girls came to the conclusion that freshmen women's curfews were discriminatory, and subsequently began circulating petitions to have themselves included in the curfew elimination. After the signature of a little less than 20% of the student body was obtained, despite threats and harrassment by WSGA, the petition was presented by the girls to Student Senate. Fearful of taking a stand against the administration, and seeing its escape in the petition's lack of a full 20% (which is required for a referendum), the senate rejected the girls... The following week, the 20% had been secured and the petition was again introduced, this time by Mr. Zilg. The senate passed it as a referendum and then put it to a vote by the student body. The referendum passed 990 votes to 680 votes out of 3700 eligible voters. The following week, the senate urged the administration to include the freshmen girls in the curfew elimination. The administration, through its faculty committee on student affairs, hedged by stating that it had not yet received a proposal from WSGA. The Senate instructed WSGA to do so.

In the meantime, WSGA, looking for a way to discredit the referendum, ran a poll of freshmen women on the day the referendum was voted upon. The poll contained statements instructing freshmen women to realize that the administration has the final say, student government or no

student government. It also contained an alternate curfew proposal, in the event that the administration decides to reject the student government referendum! Mr. Zilg tried to have the poll postponed until after the referendum vote, and petitioned the Student Supreme Court. The court not only allowed the poll to go on as scheduled, but tried to postpone the student referendum! When Mr. Zilg and other SURE Committee members heard of this, they explained the facts of separation of powers to the Supreme Court Justice, who then changed his mind. It was also discovered that the Court itself was illegally composed, as it contained members of a lower court, WSGA!

At any rate, the freshmen poll overwhelmingly endorsed curfew elimination. However, when WSGA brought the referendum to the faculty committee on student affairs, they also presented the alternate proposal before the committee had even voted on the referendum! Thus, in a single motion the five faculty members rejected the referendum (and desires of the student body), and adopted the alternate proposal of adding an hour to the curfews for each night. This new policy went into effect about a week before the demonstration.

A motion stating that girls who violated the curfew regulation would be supported with student government finances, was passed by the student senate, but was vetoed after the meeting (a new precedent) by the Student Association President. With all regular channels having failed, the girls were then forced to resort to the demonstration.

Subsequently, another motion was presented by Mr. Zilg to the Student Senate to allocate $500.00 to Mrs. Faith Seidenberg of NYCLU to file in a federal court for a declaratory judgement on the constitutionality of women's curfew, enjoining the college from taking any disciplinary action against curfew violators until after the court's decision. The motion passed but failed to get the support of the Student Association President, who immediately vetoed it. An attempt to override the veto failed by one vote. When Mr. Zilg began to introduce a new motion, the student body pre-

sident and a few senators that are also on WSGA walked out of the meeting, which was then adjourned for lack of a quorum.

The following Saturday, Confederated Student Governments of State University of New York, held a conference at Oneonta at which Mr. Zilg, who is also Treasurer of CSG, promoted a motion similar to the one that he had introduced on the Senate floor. This motion, introduced by Harpur College and seconded by Buffalo State College, was passed unanimously. They allocated the $500.00 for the attorney.

Student Supreme Court Chief Justice, Ken Jones, filed a temporary injunction against any WSGA trial until the court had ruled on the charges that the curfew regulation was in violation of substantive due process. WSGA, however illegally, tried the curfew violators at a hearing, refused to wait for the girls' counsel to arrive even after WSGA had already agreed to wait, and allowed a biased witness (Assistant Dean Baughman) to be present, to speak and thus influence WSGA's decision. The girls were tried in absentia, and various sentences were handed out to the girls.

Subsequently, a motion was proposed by Mr. Zilg in SURE Committee, and passed, unanimously, to bring to the Student Supreme Court charges of violation of procedural due process against WSGA, asking that, in accordance with the recent NSA-AAUP-AAC-AASPA joint statement, that students should not have to enforce regulations they do not make, and thus calling for WSGA's dissolution. The Student Supreme Court has not met yet.

Meanwhile, Mrs. Seidenberg plans to file for an injunction against the college disciplinary action, and a declaratory judgement on curfews.

Any financial and legal assistance for the girls would be appreciated. Thank you.

Sincerely,

/s/ (Mrs.) Sara Zilg

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(Editor's Note: USNSA provided some funds and is a co-plaintiff in the suit. We are still awaiting the court's decision.)

(The oldest state supported university in the country, the University of North Carolina at Chapel Hill, still bears the shackles of environmental control, despite its tradition of having an excellent student government, and despite the past efforts of the author and others. But...the time has come. The following article is reprinted from the editorial section of the Daily Tar Heel, December, 1967.)

*

WOMEN'S CLOSING HOURS: WHY THEY'RE IMPORTANT?

The Women's Residence Council has finally gotten a report from one of its committees suggesting the abolition of dormitory closing hours for seniors or women 21 or older next year.

That's nice.

Unfortunately, it is also what is commonly known as "too little, too late."

Although it is commendable that WRC has finally come around far enough into the 20th Century to even entertain the idea of senior women not having any closing hours, it is at the same time lamentable that the proposed revision is not both broader and sooner.

Broader, because WRC should eliminate closing hours not only for seniors, but for all upperclassmen (as the University of North Carolina at Greensboro did last week through its student legislature.).

Sooner because there is simply no rationale for putting this off until next year, especially when a magnetic card-key system could be installed by early next semester. After all, nearly a full 67 years of the 20th Century have already passed by without Carolina's women's rules' getting in step with it.

*

There are arguments against abolishing closing hours, even for seniors, however. They were listed by opponents of the rules change at Tuesday's WRC meeting.

One of the staunchest opponents of the measure was Miss Carol Ann Peters, the representative from the Kappa Delta Sorority house, who asked:

"But what would women be without the double standard?...

"Just suppose no closing hours was extended all the way to the bottom (to include freshmen)?," she asked. "How would this affect girls without (the experience of) closing hours behind them? How would this affect their femininity?"

The answer to these questions would seem to have already been given -- when suffrage was extended to the fairer sex lo those many years ago. Since then, a great many women have escaped the wife-and-mother-period shackles to become rather worthwhile contributors to the entire human race -- while remaining ladies.

If Miss Peters and her comrades-in-viewpoint are so concerned with protecting the moonlight-and-white-lace concept of Southern femininity, why aren't they back on the plantation, sitting at their mothers' knees and learning how to better bake and sew?

*

A second argument against abolishing closing hours is that it will destroy what is lovingly called "dorm spirit."

The reasoning behind this is that girls will feel closer and more unified if they are all herded into the dorm together at the magically appointed hour, instead of being allowed to come and go as they please.

There is strong logic behind this. It is a tried and true method, really -- just ask any sheep herder, and he'll tell

you how much easier it is to handle a flock of little white woolies if they're all kept together. Or ask any chain gang "boss" how much better for morale it is if prisoners take their exercise periods together, instead of separately.

The main hang-up about applying this argument to support a closing hours policy, however, is that Carolina coeds are -- supposedly -- neither sheep nor prisoners.

In short, "dorm spirit" should be made of stronger stuff than enforced-togetherness.

*

There are other arguments posted against abolishing closing hours, too, of course.

One of the main ones is that security would be greatly hampered. This was undermined, however, by the WRC Senior Hours Committee's report which recommended a magnetic card-key system -- inexpensive, safe and easy-to-come-by.

*

And so go the arguments against abolishing closing hours for seniors -- and, indeed, for abolishing them for the rest of the upper class coeds here, too.

Obviously, the rules changes opponents say, such a radical move would destroy the Carolina Coed's femininity, completely wreck "dorm spirit," make every woman on this campus subject to pre-dawn attacks by card-key wielding invaders and undermine the Honor System.

But would it really, now?

(It is not often that a college will justify its hours unilaterally, but instead it will let this be done by some "autonomous" group of students, generally the Associated Women's Students. This keeps the policy away from the generally more fast-moving student government, where it really belongs since hours affect both men and women. Recently, however, as was the case at Washington State, AWS has surprised them. Way back in 1964 an AWS vice-president at the University of Colorado, Susanne Alexander, may not have known that she was beginning a trend when she wrote the following article.)

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AWS LOOKS AT AWS

(Editor's Note: The following article, written by Susanne Alexander, vice president of the Associated Women Students at the University of Colorado, was printed in The Colorado Daily, campus newspaper at CU.)

There are two primary justifications for regulating the freedom of a college student. First, in loco parentis and second, the necessity for some regulation of individual freedom in a communal living situation. The issue of in loco parentis has been hotly argued on this campus for many years and I will not here reiterate the pros and cons. However, I will take a very Machiavellian stance and say that the position of the University would be enhanced rather than endangered by refusing to regulate the private activity of its students; because in regulating the private life of a student, the University of necessity accepts responsibility for the actions of said person. A University could protect itself much more completely (and protection is one of the primary arguments for in loco parentis) by adopting a policy that any student bringing public and notorious disgrace upon the institution would immediately cease to be a student in good standing and would be subject to removal from the University.

THE SECOND argument for regulations--the necessity

for some control in a communal living situation--is much weaker. Obviously, some agreement on basic standards of courtesy is necessary in communal living. However, any student mature enough to be enrolled as a University matriculant is capable of conceiving the necessary courtesies and abiding by them without coercion.

I do not believe that the "custodial" function now being fulfilled by AWS is necessary or even remotely beneficial.

According to the philosophy of this organization, we are attempting to contribute to the total education of the woman student and aid in preparing her to assume a satisfying and meaningful role in adult society.

IN DEALING with Hearing Board cases, I find that a majority of the women students use AWS policies as a crutch --an excuse for not accepting responsibility for their own actions. As an example, last Spring, AWS Senate voted to extend week-night closing hours from 11:00 p.m. to midnight. The House members (elected from each living unit) killed the proposed change saying: first, that they did not want to stay up an hour later to lock-up, and second, that a majority of the girls preferred to have hours to use as an excuse for coming in from a date at a reasonable hour. Neither of these reasons merits comment.

I think that it is the responsibility of AWS to jerk away this crutch and force the women of the University to stand on their own feet, accepting the responsibilities of the adult world. After graduation there will be no "AWS Great White Mother" to superintend her children's thoughts, feelings, and actions. In attempting to do so, we are simply extending the atmosphere of a protective 'high school' situation into a sphere where it is both inapplicable and undesirable. The money currently spent on "custodial" care would be much more effectively spent on counseling services for those students who have difficulty in adjusting--and I think that they are a very small minority!

THE ARGUMENT will be immediately raised that freshmen enrollment will sharply drop. I do not think that this will be the case. Perhaps the parents of some "sweet young things" will not allow their daughters to attend--but in reality, a true University is not the place for "sweet protected young things." A University is designed to promote the growth of the total individual. Any growth is necessarily accompanied by discomfort, else it is worth very little--those things best learned are learned the hard way. By sheltering one aspect of life, we are producing a withered appendage--not a healthy well developed whole. This is not in accord with the true purpose of a University.

Specifically I feel that AWS should repeal all regulations pertaining to women's hours. Problems of mechanics will immediately arise but these can, I believe, be solved with less time and money than is now spent on regulatory activity. Repealing hours is treating a symptom, not a cause. But it is a necessary first step.

I firmly believe that AWS--THE ASSOCIATED WOMEN STUDENTS--is the body which by placing itself in such a position can provide the initial nudge for increased liberalism and student rights in the entire University system.

-Colorado Daily

Section 2

PARIETAL HOURS, OR INTERVISITATION

(Some students will have sexual intercourse in dormitories during intervisitation, and that can be a healthy thing. Others will talk, study together, or do whatever intimate people do in private, and that can be healthy. Sadly, however, hundreds of intervisitation fights take place each year and the discussion centers only on the latter group. Why can't we lay the cards on the table? The following article by Paul S. Cowan, reprinted with the permission of the Harvard Crimson, appeared in the Crimson on October 29, 1963.)

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HARVARD PARIETAL RULES: AN OUTSPOKEN APPRAISAL

by Paul S. Cowan

I have been following the recent controversy over parietal hours with much interest, especially hoping--as I still hope --that it would produce among undergraduates a concerted demand that there be no restrictions upon the hours during which they can have women in their rooms. Instead, to my dismay, the debate seems to have settled on the question of whether the status quo should be maintained or whether it should be cut back a notch.

The problem seems to be that the terms of the argument, which have been established by Deans Monro and Watson, are not realistic, and that so long as they remain the guidelines for discussion there can be no real communication between different generations. The gap between how the Administration thinks undergraduates act and how they really do act is presently too great for sensitive legislation.

For example, here is what Dean Munor (in his letter to the Crimson, Oct. 9) conceives to be the function of parietal hours:

> ...I want to agree whole-heartedly with the main point in the /Crimson/ editorial, that the present social rules do provide a chance for men and women students to be together, and talk together, and enjoy each other's company in a quiet, private place, and at no cost. It was this pleasant and constructive view which the Masters had in mind and presented to the Faculty in 1952 when our present rules were adopted.

Well, it is true that men and women students like "to be together, and talk together, and enjoy each other's company in a quiet, private place." It is also true that most Harvard and Radcliffe students, when they leave their Colleges, are no longer virgins; and it is finally true that many of these students have their first complete sexual experiences during Harvard's parietal hours. I cannot understand why both Dean Monro and the Crimson should choose to ignore these latter realities. By thus simplifying the consequences of parietal rules they divide the undergraduate body into two polar categories--those who have had sexual intercourse and those who have not--whereby emptying the situation of all its subtlety.

Tracing its path of logic from this polarization, Dean Monro's letter suggests that all those students who have experienced sexual intercourse have exposed themselves to almost certain misfortune. This attitude pervades the letter. For example, he writes that students have come to use "the college rooms for wild parties or for sexual intercourse," as if each man or woman who had entered into a fulfilling relationship would thus be prepared to go out and participate in an orgy. But this is not so: the equation between sexual intercourse and wild parties is by no means exact. Or, for another example, he writes that "Sexual intercourse...is restricted both by law and the sanctions of moral code, for the good reason that unrestricted behavior has always led, and still leads, to undesirable consequences for society and for the individual involved." Again, Dean Monro is drawing his lines too tight. Of course there should be some restric-

tions upon sexual intercourse (nobody is advocating promiscuity), but that does not mean that unmarried men and women should remain entirely chaste. Individuals do have some control over themselves and their passions, and for many people the experience of sexual intercourse, of a satisfactory relationship, leads to fidelity rather than promiscuity. To suggest that sexual intercourse is the same thing as "unrestricted sexual behavior" is as unfair to a large part of the University's undergraduate body as it is inaccurate.

Changing Attitudes

Later on in his letter Dean Monro admits "I would have to agree that relationships between the sexes are changing rapidly, and that this fact has to affect all our thinking about the problem of sexual intercourse." I wish that this point had stood at the center of the letter instead of representing, as it does, an unexplored concession.

But I'm afraid that one sentence toward the close of Dean Monro's letter comes closer to revealing the Administration's true attitude toward undergraduate sexual life than does the sentence quoted above. Dean Monro is discussing the difference, in his opinion, between men who adhere to a moral code and those who pay attention only to a written law. "We are dealing here," he writes, "with the difference between a moral man and a shyster." Since the Dean is discussing undergraduate attitudes toward sex I can only infer that he is calling all those who have participated in pre-marital intercourse "shysters." That is not a description with which I can in any way agree. I can, however, understand how the Dean's feeling that those people who solve "the problem of sexual intercourse" by transgressing a rigid moral code, thus becoming "shysters" who indulge in "unrestricted sexual behavior"--how this feeling would lead to Dean Monro's narrow view of social rules.

If one attacks a view of morality that strikes one as being completely wrong-headed, then quite frequently one appears to have no morality oneself. The trouble with the

terms of debate that Dean Monro has established is that to follow them is to argue by extremes, whereas for my part I have as little desire to live a life of constant orgies as I have to live the life of a monk. I do, however, have a moral order whose roots are in my knowledge of myself and of the people around me.

Now one of the great difficulties I had at Harvard was that I could never feel comfortable under the conditions that the University's social rules imposed. My classmates and I, I felt, were developing in a somewhat distorted view of sex in general and of particular women, a view that is unfortunately by no means rare in this country. Sex was becoming an end-in-itself, and women were frequently no more than objects toward that end. To cope with this problem, finally, I moved off-campus to an apartment where at least I could be my own legislator.

It was not, however, the absence of opportunities for sexual intercourse in a Harvard room that disturbed me; in fact, that seemed a somewhat irrelevant issue. For as most undergraduates know, and whatever administrators might desire, the fact is that at Harvard and elsewhere there are always opportunities for sex. You have only to visit a college with completely restrictive social rules to realize that male and female students who care for each other will make do with whatever they've got--the woods, a river bank, a motel room or borrowed apartment, the back seat of a car; a locked classroom and bare floor, if nothing else is available. It is a happy rule that men can no longer legislate away desire. They can only temper it with physical or mental discomfort or, if the night is cold, with a creeping fear of influenza.

Sex With A Deadline

What bothered me about social rules at Harvard, then, was the type of relationship which they created, beyond the actual act of sexual intercourse. If a man and woman make love but do not spend the night together, then their relation-

ship has in it something of the hit-and-run. If a man takes a woman to his room with the central objective of making her within an externally imposed period of time, then there is apt to be something grasping and furtive about the entire affair. Sex is, or should be, just one part of a fuller relationship: a relationship that involves working together and eating together and sitting and talking together, and even lying peacefully together without some thought in the miserly part of the mind that one must feel desire another time tonight, before the St. Paul's clock tolls 12 times. As soon as a man feels a primary obligation to sex, and ceases thereby to be the partner of the particular woman he is with, then he is indulging in an act that to my mind has become distasteful, if not immoral. This sense of obligation to sex becomes intensified under restrictive social rules. It is my impression that this sense of obligation accounts for most of the millions of sexual casualties that presently litter our land.

In another age, it is true, these matters would never have presented themselves: at Harvard especially one would have devoted oneself to one's studies, and kept covert his social activities. But in the 1960's the doors to sex open early and there are few people who fail to enter them, however loudly older people might cry "shame" from their platforms, outside. To an extent, as Dr. Carl Binger has pointed out, this phenomenon pressures people into relationships that demand maturity, before they are fully prepared. Many couples, as well as many individuals, have met with major or minor misfortunes from beginning too young, and one of the worst consequences of these new social forces is that, just as there once was pressure on young people to retain their virginity until they got married, now there is pressure on them to possess experience, at whatever cost.

But either one defines a change in social mores by its visible casualties, or by its ultimate potential. It seems to me that the gradual dissolution of the guilt that has for so long surrounded sex will be highly beneficial. But in any case we are discussing a trend in society that cannot be re-

versed. Either one treats new social realities openly, establishing his own relationship to them, or one ignores these phenomena, thereby relinquishing all hope of control over his destiny. What Harvard's Deans would have undergraduates do, so far as I can tell, is to adhere to a moral code that applies neither to their generation nor to mine. I have the impression that it is precisely this attitude--uttering outworn beliefs while rooted in new realities--that has led to the astonishingly high rate of marital mortality and sexual misfortune that exists in this country. Those people who are most fully committed to the old morality, either clinging to it desperately or reacting against it blindly, turn out, in great part, to be the real sexual tragedies of our time.

Relaxing With Sex

Just as I don't believe in promiscuity, so I don't believe in chastity. I believe in relaxing with sex--a man with a woman, a woman with a man--and enjoying it as part of something fuller. It was my experience that Harvard's restrictive social rules discouraged this attitude, giving rise to an undue emphasis upon the sexual act while discouraging those other parts of a relationship which make sex as rich as it is normal. That is why I am against restrictions upon the hours during which men and women can be together in privacy, and why I am in favor of the University allowing all undergraduates who desire to live off campus to do so.

There will be casualties. No change in morality ever takes place without them. But we really do learn from our experiences--from our own and from those of other people: from facing them instead of suppressing them. The reality is that most Harvard and Radcliffe undergraduates will have pre-marital affairs whether the Administration approves or not. Some of these affairs will be happy, others will not; many of these undergraduates will learn to relax with sex, while others will allow sex to master them, for a time or forever. The Administration is powerless to control these things. But what it can do, and finally what it will be bound

to do, is to create an atmosphere in which the new morality can work itself out sensibly, where men and women can relax with each other and with sex, without feeling triumphant or guilty, without regarding themselves as conquerors or transgressors.

(In December, 1966, the Bennington College Community found itself faced with the question of which "constituency" was more competent to establish intervisitation hours, the administration or the students. The following report from Bennington gets into some of the issues of this debate. Fortunately, in Bennington's community government such matters are apparently adjudicated by a Constitutional Council. Unfortunately, in most colleges the raw power of the administrative veto would have killed the student action and perhaps necessitated direct action by the students.)

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Bennington College
December 9, 1966

TO: Members of the Bennington College Community

FROM: The Constitutional Council

RE: Conflict on Extension of Hours for Men in Student Rooms

Late in the spring term of 1966 the Student Constituency voted to extend hours for men in student rooms from 11:00 P.M. to 1:00 A.M. on Friday nights and from 11:00 P.M. to 2:00 A.M. on Saturday nights. The vote was 123 for and 19 against.

The Faculty Constituency was informed about this student action at its meeting on September 14, 1966. It decided not to take a position in this matter on the ground that it was not of sufficient concern to the faculty.

The Administration, as a constituency claiming competence and responsibility in this matter, voted on October 10 to reject the changes voted by the Student Constituency.

Faced with this dispute, and in accordance with Paragraph V, Section 4, of the Bennington College Community Constitution, a community meeting was held on October 24 to discuss the issue, and subsequently the dispute was sub-

mitted to the Constitutional Council for adjudication.

In considering the dispute, the Constitutional Council sought to establish the competence of the constituencies involved and the reasonableness of their action under the Constitution.

Constituency Competence

We are confronted here with two constituencies--the Students and the Administration--claiming competence in the matter of men visitors in student rooms.

The Constitution assigns no exclusive competence to either constituency, and in fact neither constituency claims such exclusive competence. Article I, Section 3 of the Constitution states:

> "Each house shall hold frequent meetings of all of its members in order: (a) To legislate on house business, such as quiet hours, house dues, and check-up duty; (b) To deliberate on matters of general college policy, such as men in the rooms, library hours, or traffic regulations, whenever requested by the Legislative Council or by members of the house; (c) To vote, by secret ballot, on matters of general college policy after they have been discussed in house meetings; (d) To orient new students each Fall Term."

The above language conveys a definite distinction between the degree of competence exercised by the Student Constituency in various matters. There seems to be exclusive competence in matters involving "house business," and the houses are given the power to "legislate" in such matters, presumably without the concurrence of other houses or constituencies. However, "men in rooms" is mentioned specifically as a matter of general college policy, thus indicating competence shared with other constituencies.

To say that competence is shared is not necessarily to infer that it is shared equally in all matters. In the problem at hand, it is clear that the Administration has an interest and concern. The welfare and security of the students, and behavior affecting such welfare and security, are matters involving the concern, interest, and responsibility of the Administration. It is equally clear that the question of men in rooms is of great concern to the students. But the concern to the students is of such a social, personal, and immediate nature as to make it substantially greater than that of the Administration. We therefore hold that although both constituencies have constitutional competence in this matter, the competence of the students is paramount and should be respected as long as it is exercised reasonably and responsibly.

Reasonableness of Action

Although the timing of the student vote, coming as it did near the end of the term, may be subjected to some criticism, it did not violate any standards of constitutionality or reasonableness. While it might be argued that additional time would have afforded a greater opportunity to discuss the merits of the proposed change more thoroughly, we conclude that meaningful discussion could and did take place within the time available. The vote was therefore a reasonable act exercised by the student constituency. Furthermore, on the substantive issue we hold that the change voted by the student constituency is not an unreasonable extension of the parietal rules of the College.

The reasonableness of the action taken by the Administration in voting down the proposal is subject to some question. The Administration offered two grounds for its decision:

> "(1) The circumstances of the voting by the Student Constituency last spring did not permit the Administration to ascertain how fully the interests and rights of all students had been taken into account and given

the opportunity to be expressed.

"(2) The proposed changes in the hours for men in rooms do not, in the judgment of the Administration, provide adequate protection of the interests and needs of students not entertaining male guests. Even though these students may be in a minority, the Administration considers it a responsibility of the College to recognize and make provision for their interests and rights."*

On the first ground, we fail to follow the Administration's reasoning, unless it claims the right to supervise elections of other constituencies. In the absence of any such claim or any clear indication of irregularity in the student vote, this argument cannot stand.

On the second ground, we fail to see the germaneness of the issue of minority interests. There are adequate instruments of student government and administrative channels available to protect the interests of minorities -- house government, judicial committee, student personnel office. We hold, therefore, that this argument lacks sufficient validity to justify the overruling of the student vote.

The action of the student constituency is hereby upheld.

Leslie Berg
Barbara Fisher
Lionel Nowak
Joseph Parry
Harry Pearson
Stanley Pike
Leonard Rowe

*The Administration's Brief for the Constitutional Council, November 8, 1966.

DISSENT

Although all the members of the Constitutional Council associate themselves with most of the foregoing statement, not all of them can accept either the form or the conclusion of its argument. During the Council's hearings, representatives of each of the two constituencies argued that a special position or special interest gave it paramount if not conclusive jurisdiction over the hours during which men may be entertained in student rooms. There is no constitutional sanction for either claim when it is so stated as to exclude the other. Each constituency has a legitimate interest in the hours during which men may be in rooms, the Administration because of its responsibility for providing facilities and conditions of working and living that serve the College's purposes and objectives, the Student Constituency because of its theoretical and practical responsibility to govern itself.

Under these circumstances, the Council cannot undertake to choose between the actions of the two constituencies in terms of their constitutional power to act. Instead it is required to evaluate the actions themselves. Noting that the action of the Student Constituency was entirely proper in itself, we hold that the action of the Administration in restricting hours by vetoing the student enactment was also a reasonable exercise of its powers. One constituency may have behaved more reasonably than the other, but there is no warrant for holding that the action of either was arbitrary and unreasonable. Hence we hold that the action of the Administration was a proper constitutional act.

In so holding, we take note of the fact that spokesmen for the Administration apparently expressed a willingness to accept a revision of hours that came to within thirty minutes of the times the Student Constituency adopted. Such a circumstance suggests that the Administration might accept, or the Council approve, an extension of hours that promised to protect the academic and emotional interests of all students. The Council agreed unanimously, however, that such alternative measures must be initiated by one of the con-

stituencies concerned.

Susan Paris
Rush Welter

Section 3

DRESS REGULATIONS

(Women's hours and bans on intervisitation serve the basic purpose of separating the sexes, implementing the Puritan-Protestant moral system, and protecting the university from "sensational publicity." On the other hand, dress regulations, bans on drinking and smoking, compulsory chapel, and all the others supposedly serve the purpose of insuring the graduation of All-American boys and girls, thus assuring the contributions of donors and appropriations from legislators who are interested in an All-American image. The student argument against such control is adequately presented in the following two articles, the first a report from the Student Executive Council at Bellarmine College, the second a report from the past president of the student government at Hunter College in the Bronx.)

*

BELLARMINE COLLEGE

STUDENT EXECUTIVE COUNCIL

REPORT

ON STUDENT DRESS

January 1967

We, the Executive Council, as the students' elected representatives, believe that our fellow students would uphold a high standard of personal appearance and continue it without any formal regulation.

The justice for this contention follows:

I. History

Briefly, dress regulations centered around the tie rule for years. At one time, the rule was voted in by the student government and ratified by the faculty and administration. The rule withstood several attempts towards dissolution. But in the spring semester of 1966, a Senate-supported poll was taken and results overwhelmingly called for abolishment of the tie rule. This was ratified at the closing faculty meeting of that semester. Student leaders were notified by a Dean's memo May 28, 1966, after school ended. In July and August, the present rules were drawn up, without consulting student government and distributed before the fall semester of 1966 began.

II. Arguments

In the section entitled "Standards of Dress and Behavior" in the Knight's Handbook, the author alludes to the fact that Student Government had a hand in the formulation of the present regulation. We did not. We had no experience to back up a need for regulations. There was no time when students were left completely on their honor concerning personal dress, and told so. Thus, we felt there was no need to condemn and consequently regulate the students in this manner.

The justification for the present regulations we have heard, are the following:

1) The standard of dress under the tie rule was deteriorating. The enforcement of the rule was lax, this fact was admitted by those who were its enforcers. If a rule is made, it should be enforced, and enforced completely. The tone of the student body concerning the tie rule was a rebellious one.

2) The real justification for the present regulations seems to center around conformity or socialization by regulation. The Handbook constantly makes students aware of responsibility to become mature members of society, therefore, dress regulations. We feel that this argument is irrelevant and does not follow from the premises.

3) We are cautioned that the rule is for the "college's fine reputation for the high regard of the community." We submit that this emphasis is fallacious. The college's fine reputation and high regard of the community must come from the academic world and not from whether or not Johnny wears socks.

4) We are also counseled that people who visit our campus will be influenced by the way students dress to affect the amount of their donation to the college. If this is the case, then we can only say that these people are misguided as to the purposes of Bellarmine College. Those who use this argument, it seems to us, are also misguided as to Bellarmine College's purposes and the means to accomplish them.

III. Evaluation

What we see in the present dress regulations is a moralistic fever for a "detailed set of rules" on what really is a matter of personal preference. These sub-culturally conditioned dress rules are expressed in terms that reek of ethnocentricity. They do not regard difference in people, their background, their former environment, etc. It seems that the rules are trying to instill the norms of society by an authoritarian method. We feel that dress standards arise and are formed within the confines and province of the family and should not be regulated by arbitrary rules. We feel that group pressure will "regulate," if necessary, an individual's dress.

The present rules are not <u>from</u> the students and the students do not feel committed to them because of this... Therefore, it seems that these rules will have decreasing influence among the student body. Not only will this socialization by regulation have less influence and therefore fail in its aims, namely to help the students mature; but it may have the opposite effect. A student might well become a hero by rebelling against rules imposed by the administration.

Dressing with regard to comfort rather than convention short of indecent exposure and insufficient hygiene, does not constitute a threat to anyone and should not offend anyone who is not more sensitive to these things than is his business to be. To take offense at someone's sloppy dress is basically not unlike objecting to the presence of Negroes, who do not intend to bother anyone, in white schools, or scorning and fearing foreigners, eggheads, beatniks, and others who are "different." The College should challenge this sort of attitude, not foster it. The college student should develop a tolerance for different social attitudes.

IV. Proposals

We feel that the matter of dress of students is a personal one and cannot be taken by the college as its responsibility. We sometimes wonder whether the old adage "clothes make the man" was used in this attempt to socialize Bellarmine students by regulation. If these adages are valid, then we would counter: "you can't judge a book by its cover." We feel that care in dress merely indicates care in dress, nothing more. We do not feel that Bellarmine students can be threatened, cajoled or fined to conform to the present regulations. We find that some of these methods are being used or being considered. Examples of this harrassment are in evidence on Bellarmine's campus. More specifically, the standards for dress in the Knight's Handbook point out that your future is in jeopardy if you receive a poor recommendation because of neglect of personal appearance. Who is to judge? This issue is resolved when one hears the word: neatness. If a student's dress is neat, no indecent exposure or insufficient hygiene, then it's acceptable. We express again our faith in the student body of Bellarmine College that they will dress according to high standards and continue it without any formal regulations. The criteria for dress is summarized by the word neatness. If his uncollared shirt is neat, then it is acceptable.

Socialization by regulation is fallacious. Regulation by socialization is perhaps more meritorious. We propose that

this statement become the dress code for the students of Bellarmine College.

A STATEMENT ON DRESS REGULATIONS

Introduction

By Arthur Weiner, Student Body President,

1964-65, Hunter College in the Bronx

USNSA Cultural Affairs Director, 1965-66

At Hunter College's Bronx campus, dress regulations have had a history lasting eleven years, three Deans, and numerous student-faculty committees. This history began in 1955-56, when the Student Government in cooperation with the Dean of Students drew up a publication of "suggested student etiquette." This publication stated that "neat" sweaters or sport shirts were as appropriate as suits for men. Women were advised to build their wardrobes around sweaters, blouses, skirts, tailored dresses and suits. There was also a set of recommendations for special occasions (such as "teas") which required men to wear coats and ties. These recommendations were later modified, but the rationale was always the same: "for the College's fine reputation and for the community's high regard."

In 1958, at the suggestion of a student-faculty advisory committee, the recommendations were changed to regulations requiring men to wear shirts and ties or sports shirts buttoned at the collar and covered by a sweater. Women were not allowed to wear shorts, toreador pants, dungarees or slacks.

In 1960 these rules were modified by a student-faculty committee's recommendation which permitted women to wear slacks on any day in which "snow is actually falling or is forecast to fall, or on any day on which the temperature in New York City falls or is forecast to fall below 15 de-

grees." (There was a uniquely complicated determination of the appropriate authority for each day's weather.)

In the fall of 1964, after his first year in the position, a new Dean of Students concluded that this rule was "inadministrable." He reverted back to completely forbidding women to wear slacks on campus. Since many students had been unhappy about past regulations, this newest change created more controversy than any campus issue since a 1962 student strike for academic freedom. A student-faculty Advisory Board on Student Affairs had recently been established by the Dean; and dress regulations became the first item of business on the Board's agenda in October, 1964. The initial meetings reflected the split of student and faculty concerns about dress regulations: Students opposed, faculty in favor.

The statement which is reprinted below was the main argument of the student members of the Advisory Board in rebutting the faculty position on the need for dress rules; the statement also provided the basis for the students' proposal of a trial period with no dress regulations. The Board, the Dean and eventually the Faculty Council of the College adopted a "moratorium" on dress regulations to last until May of 1965. At the end of the moratorium, both students and faculty voted in a referendum which offered four alternatives ranging from complete and strict enforcement of dress regulations to no regulations at all. The students' preference was for the latter. Their second choice and most faculty members' choice was for "general considerations" of appropriate dress, with no specific requirements. The Dean's recommendation, based on the results of this poll, was that "acceptable street attire" be the standard of dress for the campus. This was approved by the Advisory Board and then, finally, by the Faculty Council.

With the beginning of a new year, the September, 1965 "Blue Book" of campus rules enumerated a list of dress "recommendations," such as that women should not wear slacks. There was also a statement to the effect that con-

sistent violators would be brought before an appropriate student-faculty judicial board. Some members of the faculty used this as a basis for threatening and often harrassing students because of their dress. This again created student resentment. Student Government finally encouraged the Dean of Students to announce publicly that, for all intents and purposes, there were no dress regulations on the campus and that the printing of the "recommendations" in the "Blue Book" was a mistake. Thus ends the history of dress regulations at Hunter College's Bronx campus.

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The Statement

To: Members of the Advisory Board on Student Affairs

From: Student Members of the Board on Student Affairs*

Subject: Dress Recommendations

After much discussion and debate, after studying all the relevant material pertaining to the subject and listening to the views of the faculty, we have come to the conclusion that dress regulations have no place on the Hunter campus. It is our unanimous opinion that the decision as to the standard of apparel on the campus should be in the hands of each student, for it is our belief that this is an individual responsibility. The college, in instituting dress regulations, is entering into the realm of the student's personal affairs. We do not think that this invasion is justified, nor do we feel that it is necessary. We have sufficient faith in the student body to believe that they will maintain a high standard of dress without the College's regulating these standards. We hold that

*Editor's Note: The student members were Martin Dicker (who wrote the original draft of the statement), Charlotte Linde, Frank Marino, Steve Minkin, Sandra Rosen, and Art Weiner.

in the academic community regulation of student dress is out of place.

Some, however, have voiced their approval of the existing regulations, reciting a myriad of reasons based largely upon unproven assumptions for their stand. We should like to answer these arguments, point by point, in order to prove the validity of our position.

It has been stated that: I. The students, when outside the school, on busses, trains, etc., reflect upon the reputation of Hunter; students are identified by the community with the college.

This argument assumes an accepted standard of dress by which the community is able to judge the students and therefore the school. But what standard? And what community?

New York City is composed of numerous neighborhoods, each with different modes of attire. The New York Community is the sum total of its parts, yet the parts are extremely diverse. The whole is not uniform, but polyglot in nature. Standards of clothing, as well as other reflections of our culture, differ from section to section, from neighborhood to neighborhood; in short from community to community, for each part of the city is a community in itself. The norm for Central Park West, for example, could not be applied to the school. Thus, there cannot be said to exist one all-pervading standard of dress for the entire area that is the City. Yet, if we do assume that there is one standard for the City, it is without question that this standard is based on casual appearance. For some time now, fashions have taken this direction, with sport clothing becoming more and more acceptable in what was previously only the domain of formal wear. Women's slacks in various new styles, for example, are now appropriate for cocktail parties, dances, and the like. Thus, as long as the criterion of neatness is met on campus (and neatness, we believe, is beyond regulation by the college) the surrounding environs will not look

at Hunter in a disapproving light.

There still remain, however, other flaws in the logic of this thesis. One supposes that colleges and universities are rated and judged in the eyes of the nation on their academic standing, not on the dress of their students. While Hunter is able to keep its scholastic rating high, the students attending the college will reflect favorably upon its reputation, dress notwithstanding. If the school's academic excellence were lowered, it would not seem to matter how the students maintained their apparel; for Hunter's image would then truly be tarnished. In short, it is the college's responsibility to train scholars, not fashion plates.

On the question of responsibility, we feel that the responsibility for the style and manner of clothing is solely in the hands of the students; on and off the campus, it is the individual who should be the arbiter as to the question of what to wear.

Another reason, it has been maintained, for dress regulations is that Hunter is a tax-supported school and therefore its students bear a special responsibility for their appearance. The fact that Hunter is supported by tax dollars, however, has nothing to do with the apparel of the student body. The monies the college receives from the City go for higher education, education which enables the youth of New York to obtain more meaning out of life. This education is the field in which the future leaders of the city, state and nation grow. The tax money that is allocated to the City University, like the tax money that is poured into any other service, is contingent on the University's ultimate contribution to the welfare of society; and Hunter, as well as the other city schools, has produced numerous graduates who have become outstanding in their chosen vocations. It is here that the special responsibility of the student lies; the student, using his education as a foundation, must attempt to be of some value to the world around him. He must be cognizant of his responsibility to the city, the provider of his free education, in the academic realm -- to do as well as

he can with whatever ability he has. Compared to the awesome responsibility of adulthood, dress regulations pale. Yes, attending a free college gives the student an additional burden, if it may be called such, of affirming the city's support of his education, of affirming the city's trust in him. "Conduct unbecoming the student of a tax-supported college" can only refer to the non-utilization of the opportunities afforded at such a college. It certainly has nothing whatsoever to do with dress.

Dress regulations, we are told, are found in the nature of the college. College, it is held, like any other institution, is an agency of socialization, of instilling the norms of society. By the prohibition of certain forms of apparel, Hunter is aiding the students in the process of maturation.

Ultimately, manners, the social graces, and such are the province of the family. Within the confines of the family unit one is supposed to be taught the proper modes of behavior. It is especially in the formative years of childhood that such things as [standards of] good dress should be instilled. We would all admit to this. But if the home has failed in the area of dress, does it fall to the college administration to remedy the situation? We think not. Basically, college students, like other people, are concerned with acceptance; they are attuned to group norms, to the standards which govern student behavior. In the field of dress, group norms dictate what is accepted and what is not -- this is the guide. Socialization by regulation, the demand by the college that students dress a certain way, however, is out of place. Rather, group pressure is undoubtedly a much stronger influence when it comes to personal appearance. Not only will socialization by regulation have less influence and therefore fail in its aims, namely, to help the students mature; but, beyond this, it may even have the opposite effect. A student might well become a hero by rebelling against rules imposed by the administration. Yet, if standards of dress are informally imposed, through group pressure, this would not be the case. As was mentioned above, we believe that our colleagues would uphold a high

standard of appearance and enforce it without any formal requirements.

There is yet another reason for dress regulations, we are told. This one is based on the assumption that there is a positive correlation between "care in dress and behavior." But there is no evidence to support such a supposition. In fact, there is some evidence to indicate precisely the opposite. To wit, that there is no correlation between academic achievement and dress. Scientists such as Einstein and Russell and poets like Graves, Sandburg and Frost, to name just a few, certainly /have not displayed/ "care in dress"; nor could one expect them to. Such insignificant entities as clothing are the furthest things from the mind of one involved in serious work. Care in dress merely indicates care in dress, nothing more.

Students at Hunter, it is stated, lack social grace and social polish -- ergo dress regulations. Again, there is no basis for this argument. No empirical evidence is offered to back such an allegation. But if we assume that the argument is correct, what can the college do about it? The teaching of the social graces resides in the home. We have already gone over this. If the home has failed in its responsibility, the individual is at a disadvantage, but the school is not in a position to help. The school administration cannot help because people learn proper social behavior by being exposed to different situations in which they are called upon to perform in a certain manner. It is under these circumstances that the individual, if untutored in etiquette, will become accustomed to what is right and proper. No course or lecture will do this. This is the reason that students, upon leaving the city and attending an out-of-town school are able to acquire polish; they are left on their own and forced to fend for themselves. They receive no special instruction, nor does the school place them under special training. Very few students would increase their knowledge of the social graces if forced to attend a talk on Emily Post. If a student is unfortunate enough to be without the rules of proper social behavior at his command by the time he enters college, the

school is at a loss to find a remedy. Only through the process of being in the company of others can the situation be changed.

The old adage "clothes make the man" has been used to buttress the thesis that the students of Hunter have to be told how to dress. This view, we feel, represents the present shallowness of human relations present around us. It is absurd to maintain the clothes indicate what sort of person is inside them. [Clothing is] something that is on the surface, something that is used as a covering; it goes no deeper than the skin. Qualities which serve to "make the man" are courage, intelligence and integrity. These are the standards on which people should be judged. As students, it is our duty to change the atmosphere that gives rise to the opposite point of view, that engenders the belief that surface characteristics can be used as a yardstick of personal worth. If old adages are to be used, we suggest: "Do not judge a book by its cover."

One of the arguments heard most frequently in this controversy states that if there were no regulations the students would dress poorly. Assuming this were the case, a student can dress poorly even now with the present regulations. Neatness, more than type of dress is actually the question at hand. One may wear a suit and still not give a good or even presentable appearance. The school, unfortunately, cannot enforce standards of neatness. Again, this is an individual responsibility.

It has never been proven that the students will react adversely to the suspension of dress regulations. And it never can be proven unless some sort of experiment is instituted. Before going on, however, something must be made clear. Arguments on both sides of the fence seem to be based on nothing more than assumptions: Some believe there is a correlation between dress and scholarship, some do not. Some believe that the student body will dress well without rules, others do not. We are getting nowhere. There is no proof in either camp. In light of this situation, we

recommend a total suspension of the dress regulations for one year. We request the patience of those faculty members who do not have as much faith in the student body as we do for the sake of the experiment. It is only through a test such as this that once and for all the problem will be resolved. If, after the year is up, it is shown that the students of Hunter cannot conduct themselves as adults, other steps will be necessary. If, on the other hand, the students vindicate our trust in them, it would seem only fair to permanently do away with the regulations. The Student-Faculty Advisory Board could serve as the body to finally decide /whether there is a/ need for dress regulations. Upon the results of continuing study, one year hence, the question will be answered.

Bibliography and Resources

There are at least the following five ways of getting more information:

1) USNSA Publications Department

Publications are available to member schools at less than cost, but may be ordered by anyone. A list of relevant publications is provided below. Under current plans, this publications list should change and grow over the next few years, so the reader is advised to write for a new Publications List.

2) Student Government Information Service

The files of SGIS, one of NSA's oldest services, contain such items as: student conduct codes, bills of rights, arguments relating to different aspects of many issues, and comparative analyses. The SGIS supplies information, reports, studies, articles, and so on only to NSA member school student governments, and does so on a loan basis. In order to maintain current files, it is important for colleges to send to SGIS any reports or studies, project descriptions or conduct codes, speeches, or position papers, within the following crucial areas:

On-campus Residence Housing--Conduct regulations and self-government.
Drinking regulations; Men's and Women's Hours; Parietal rules.
Off-Campus Housing--Rooming Houses, Apartments; Age limitations.
Social Fraternities and Sororities.
Parties, Chaperones, and Social Events.
Disorderly Conduct, Arrests and University Policy, Double Jurisdiction.
Honor Codes and Standards of Decency.
Dress Standards, Classroom and On-Campus Appearance.
All Student Projects that deal with the above items.
Non-Academic Grounds for Discipline.

3) Library and Bookstands

Everyone is writing about students and youths. Most of the stuff deals with the kind of arguments student governments and educators must deal with, and are, therefore, relevant though possibly quite specious. Particularly useful, however, are books and articles describing the student and the youth in meaningful community activities, for they describe someone quite different from those for whom college conduct standards are designed.

4) The Hidden Recesses of the College

Dig out your own information (See Chapter VIII, Section D.) Talk to the Deans, interview the faculty and take notes for a report, find out who sets the policy--if there is a policy, find out why, when, and under what circumstances. If, for instance, you discover that it was originally decided to bar those under 21 from living in apartments during those long-gone days when there weren't enough apartments to satisfy married student needs, then you must find out if indeed there are enough apartments now. Someone knows, just ask and read the finer print of the more obscure records. Mimeograph your report, and you have some "new information" from which to argue. Submit the report, and you have a place for dialogue. Give it a vote of support, and you have the voice of others. Bring it before a faculty conference or an ad-hoc discussion group with administrators and faculty, and you have community involvement. Take it to those who deal with policy, and you will have results.

5) Create Information

Polls, Interviews, Surveys, and the like break down the lack of communication between people, revealing things they never thought they all agreed upon. This should be done with the assistance of a graduate student or a faculty member, for it involves technical polling skills that are now highly developed.

Obviously, items four and five above are more important

than the first three, but the first three supply that "general background information" and those arguments without which four and five would lack direction. The following bibliography is divided into sections that correspond with those first three areas listed above. None of the sections is inclusive.

1) USNSA Publications Department

Student Power: Philosophy, Program, Tactics. Schwartz, 1968, 341 pp. Comprehensive analysis of the student power movement, its beginnings and the present state of affairs. Although it deals only partially with the concept of environmental freedom, it nevertheless offers good background material.

Champaign Report. Danish; ed., Schwartz, 1967. A concise statement of the goals of the educational reform movement, including a brief perspective on the campus environment and social rules.

USNSA Codification of Policy. 1968-69. See particularly resolutions on "Student Power" and "In Loco Parentis."

Joint Statement on Student Rights and Freedoms. Schwartz, 1967. This statement has been endorsed by USNSA, AAUP, AAC, NASPA, and NAWDC. At present a national enforcement machinery is being set up. Its importance lies in the fact that all segments of the academic community have committed themselves to it. It is considered a minimal statement by USNSA.

Students, Stress, and the College Experience. Shoben, 1966, 32 pp. One of the first publications dealing seriously with the problems of environmental control on campuses.

Campus Justice: Principles, Practices, and the Law. Liebert, 1965, 71 pp. Examination of campus judiciaries and of due process requirements in the hearing of stu-

dent disciplinary cases. Includes several model judicial systems and suggestions for evaluating and improving campus justice.

Honor Systems. Meehan, ed., 1965, 75 pp. Analysis of academic and social honor systems. Includes arguments supporting and opposing honor systems, case studies from various types of campuses, and suggestions for considering an honor system proposal and evaluating an existing honor system.

Political Speakers at State Universities: Some Constitutional Considerations. Van Alstyne, 1963, 15 pp. (Reprinted from the University of Pennsylvania Law Review.) An Associate Professor of Law at Ohio University challenges the constitutionality of speaker bans.

Student Conduct and Social Freedom. Liebert, 1966, 129 pp. A good statement of the issues involved in developing a new campus environment. To some extent, Elimination of Social Rules is an updating and revision of this book.

Private Government on the Campus--Judicial Review of University Expulsions. Levine, 1963, 49 pp. (Reprinted from the Yale Law Journal.) A discussion of legal issues connected with expulsions of students.

Relationships of Student Government With Campus Organizations and Interest Groups. Meehan, ed., 1964, 50 pp. Readings on relations of student government with student newspaper, college union, dormitory government, fraternal organizations, commuters, and campus organizations in general. Includes some suggestions for improvement of relations.

Student-Faculty-Administration Relations. Johnston, ed., 1962 (rev., David 1964), 108 pp. Readings on this topic, and examples of student participation in academic policy-making.

2) Student Government Information Service

As the Service grows, more and more comparative analyses are inserted. These consist of quotations from student conduct codes, and describe how a particular issue is handled on each campus. Other analyses deal with hours for being in rooms, use of telephones, and the like.

Articles and position papers: A good number of these can be received from SGIS in certain areas. There are several xeroxed copies of articles and speeches on student conduct, there are articles about social fraternities, educators' attitudes, student newspaper editors' positions, and specific issues of various kinds.

Student Conduct Codes: Student conduct codes vary from, for instance, Reed College where a standard of maturity and self-responsibility is apparent, to small, morally-oriented colleges and those having severe financial and conduct limitations. Describe yourself before asking for any of these, so that SGIS knows the direction toward which you are working. Better yet, send along a copy of your conduct code when asking for materials on a specific issue.

3) Library and Bookstands

Argyris, C., Personality and Organization: The Conflict between System and the Individual. New York: Harper Brothers, 1957.

Group for the Advancement of Psychiatry, Sex and the College Student. New York, Atheneum, 1966. See chapters 3 and 4 for an excellent commentary on social rules.

Dennis, Lawrence E., and Kauffman, Joseph F., The College and the Student. Washington, D. C., American Council on Education, 1966.

Friedenberg, Edgar Z., Coming of Age in America, Growth and Acquiescence. New York, Random House, 1965. Time Magazine, which I normally distrust, calls this a classic in the pattern of Erickson's Childhood and Society and Margaret Mead's Coming of Age in Samoa. They are right this time.

Erickson, Erik H., Childhood and Society. W. W. Norton and Company, Inc., 1963.

Jacob, P. E., Changing Values in College. New York, Wiley and Sons, 1964. This book has all of the analyses - accurate, researched, powerful ones - and it demonstrates the direction in which we must move. It's about students, not faculties, deans, or institutions. For fact, none beats it.

The Journal of the National Association of Women Deans and Counselors. (This is, I believe, the best of the "deans" journals, and is probably available in your school of education library or in your dean of women's office. To discover emerging patterns of "dean philosophy," new ways of dealing with student problems, and the kinds of problems your dean has to put up with and would like to get rid of, I advise the reader to take a stack of five to ten of these to bed for a good night's reading.)